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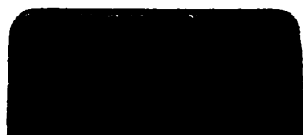
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Delivered September 1890

LAWS
OF THE
STATE OF DELAWARE
PASSED AT THE
NINETY-EIGHTH SESSION
OF THE GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

On Tuesday, January 4th, A. D. 1921

AND

IN THE YEAR OF THE INDEPENDENCE OF THE UNITED STATES
THE ONE HUNDREDTH AND FORTY-FIFTH

VOLUME XXXII

THE STAR PUBLISHING CO.,
WILMINGTON, DEL.

1921

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US OF DELAWARE

TITLE ONE

ARTICLE I OF THE CONSTITUTION

SECTION 1

ALL POWERS HEREOF GRANTED TO THE LEGISLATURE BY THIS CONSTITUTION SHALL BE EXERCISED IN ACCORDANCE WITH THE FOLLOWING PRINCIPLES:...

THE LEGISLATURE SHALL HAVE THE POWER TO...

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LAWS OF DELAWARE

TITLE ONE

Construction of Statutes

CHAPTER 1

AMENDMENT TO CONSTITUTION

AN ACT agreeing to the proposed amendment of Section 17, of Article 4, of the Constitution of the State of Delaware, permitting the Chief Justice or any Judge of the Superior Court of the State of Delaware, to grant restraining orders and preliminary injunctions pursuant to the rules of the Court of Chancery, during the absence from the State or temporary disability of the Chancellor.

WHEREAS, an Amendment to the Constitution of the State of Delaware was proposed in the Senate in the Ninety-seventh session of the General Assembly as follows:

“An Act to Amend Section 17 of Article 4 of the Constitution of the State of Delaware, permitting the Chief Justice or any Judge of the Superior Court of the State of Delaware, to grant restraining orders and preliminary injunctions pursuant to the Rules of the Court of Chancery, during the absence from the State or temporary disability of the Chancellor.

“Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House concurring therein):

“Section 1. That Section 17 of Article 4, of the Constitution of the State of Delaware be, and the same is hereby amend-

AMENDMENT TO CONSTITUTION

ed, by striking out said section and inserting in lieu thereof a new Section, to be known as Section 17, as follows:

"Section 17. The Chief Justice or any Judge of the Superior Court of the State of Delaware shall have power, in the absence of the Chancellor from the County where any suit in equity may be instituted, or during the temporary disability of the Chancellor, to grant restraining orders, and the Chief Justice or any Judge of the Superior Court of the State of Delaware shall have power, during the absence of the Chancellor from the State or his temporary disability, to grant preliminary injunctions, pursuant to the rules, of the Court of Chancery; provided that nothing herein contained shall be construed to confer general jurisdiction over the case."

AND WHEREAS, the said proposed amendment was agreed to by two-thirds of all the members elected to each House in the said ninety-seventh session of the General Assembly; and

WHEREAS, the said proposed amendment was published by the Secretary of State three months before the then next general election, to-wit, the general election of 1920, in three newspapers in each County in the State of Delaware. Now, therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House of the General Assembly agreeing thereto):

Section 1. That the said proposed amendment be and it is hereby agreed to and adopted and that the same shall forthwith become and be a part of the Constitution.

Approved March 31, A. D. 1921.

CHAPTER 2

AMENDMENT TO CONSTITUTION

AN ACT proposing an Amendment to Section 5 of Article 8 of the Constitution of the State of Delaware, in relation to Capitation Tax.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House agreeing thereto) :

Section 1. That Section 5 of Article 8 of the Constitution of the State of Delaware be amended by striking out all of said Section 5 of Article 8, and inserting in lieu thereof the following :

Section 5. The General Assembly shall provide for levying and collecting a capitation tax from every citizen of the State of the age of Twenty-one years or upwards; but such tax to be collected in any County shall be uniform throughout that County, and such capitation tax shall be used exclusively in the County in which it is collected.

Approved April 2, A. D. 1921.

CHAPTER 3

AMENDMENT TO CONSTITUTION

AN ACT proposing an Amendment to Article 15 of the Constitution of the State of Delaware, and providing that no citizen of the State of Delaware shall be disqualified to hold and enjoy any office, or public trust, under the laws of this State, by reason of sex.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House concurring therein) :

Section 1. That Article 15 of the Constitution of the State of Delaware be and the same is hereby amended by adding immediately after Section 9 thereof the following new Section to be known as Section 10:

Section 10. No citizen of the State of Delaware shall be disqualified to hold and enjoy any office, or public trust, under the laws of this State, by reason of sex.

Approved April 4, A. D. 1921.

TITLE TWO

Jurisdiction and Property of the State

CHAPTER 4

BOUNDARY LINE BETWEEN PENNSYLVANIA AND DELAWARE

AN ACT providing for the acceptance, approval and confirmation of the report of the Commission appointed in pursuance of the Act of the General Assembly of the State of Delaware, approved the twenty-fifth day of April, A. D. 1889, authorizing the examination, survey and re-establishment of the circle of New Castle, as the boundary line between Pennsylvania and Delaware.

WHEREAS, by authority of an Act of the General Assembly of the State of Delaware, approved the twenty-fifth day of April, A. D. 1889, the Governor was authorized to appoint three persons as Commissioners to represent the State of Delaware, and, acting in conjunction with a like number of persons appointed as Commissioners to represent the Commonwealth of Pennsylvania, were as a Commission representing the two States, authorized to re-survey and re-establish the boundary line that separates the Commonwealth of Pennsylvania from the State of Delaware, and to mark or indicate the location of such boundary line by the erection of enduring monuments; and

WHEREAS, the Commission, constituted as aforesaid, were authorized and required to make a detailed report of their field work, with descriptions of monuments which might be erected, to indicate the location of the line referred to, which report, together with all correspondence relating thereto, was required to be filed with the Secretary of State of the State of Delaware; and

WHEREAS, such report, together with maps, details of field work and descriptions of monuments erected, was filed in the



Deborah S. ...

CHAPTER 6

REHOBOTH BEACH JETTIES

AN ACT creating a Commission and appropriating Thirty-five Thousand Dollars to erect Groins or Jetties at Rehoboth Beach.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That within ten days after this Act goes into effect, the Speaker Pro Tempore of the Senate shall appoint two members of the Senate, and the Speaker of the House of Representatives shall appoint two members of the House, and the Governor shall appoint from among the citizens of this State a citizen of this State, and the persons so appointed shall be and constitute a commission for the purpose of carrying out the provisions of this Act.

Section 2. That the said Commission, as soon as may be after the appointment as aforesaid, shall erect such groins or jetties at Rehoboth Beach as will in the judgment of said Commission prevent a further erosion of the shore at said Beach. That for this purpose the said Commission shall have authority to employ all necessary labor, skilled and unskilled, purchase such materials, enter into such contracts, as may be necessary to do the said work; provided, that the whole amount expended shall not exceed the sum of Thirty-five Thousand Dollars.

Section 3. That immediately after the appointment as aforesaid, the said Commission shall organize by electing a Chairman, a Vice-Chairman and a Secretary.

Section 4. That all actions of the Commission shall be by a majority vote, and no bill shall be paid by the State Treasurer unless it bear the approval of the Chairman and Secretary, or the Vice-Chairman and Secretary.

REHOBOTH BEACH JETTIES

Section 5. That the sum of Thirty-five Thousand Dollars is hereby appropriated out of the Treasury of the State of Delaware for the purpose of carrying into effect the objects of this Act. The said moneys shall be paid out by the State Treasurer upon warrants drawn pursuant to Section 4 of this Act.

Approved April 7, A. D. 1921.

TITLE THREE

State Revenue and Supplies

CHAPTER 7

STATE REVENUE

PEDDLERS

AN ACT to amend Chapter 215, Section 178, of the Revised Code of the State of Delaware, exempting honorably discharged soldiers and sailors from peddler's License.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 215, Section 178, of the Revised Code of the State of Delaware, be and the same is hereby amended by repealing all of said Section 178 and by inserting in lieu thereof a new Section as follows:

215. Sec. 178. Soldiers and Sailors Exempt from Peddlers and Auctioneers License; Honorable Discharge in Lieu Thereof: The provisions of law relating to peddlers and auctioneers licenses shall not apply to honorably discharged soldiers and sailors of the Civil War and Spanish-American War, and disabled soldiers and sailors who have served in the military and naval forces of the United States, who shall be honorably discharged from said service, residents of the State of Delaware, and the same shall not be required to have a peddler's or auctioneer's license in order to engage in the business of a peddler

PEDDLERS.

or auctioneer anywhere within the State of Delaware, provided, however, that such honorably discharged soldier or sailor when engaging in such occupations shall at all times carry a certificate of his discharge in lieu of a license, for the inspection of any police officer, City Constable or peace officer within this State.

Approved March 28, A. D. 1921.

CHAPTER 8

STATE REVENUE

MOTOR VEHICLES

AN ACT to amend Chapter 6 of the Revised Code of the State of Delaware, in relation to the identification of motor vehicles.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 254 Section 217 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by adding thereto the following new section to be styled "254-K Section 217-K."

254-K Section 217-K. No certificate of the registration of any motor vehicle or registration tags therefor, whether original issues or duplicates, shall hereafter be issued or furnished by the Secretary of State unless the applicant therefor shall at the same time make application for and be granted an official certificate of title of such motor vehicle, or shall present satisfactory evidence that such a certificate has been previously issued to the applicant covering such motor vehicle. Said application shall be upon a blank form to be furnished by the Secretary of State, and shall contain a full description of the motor vehicle, together with a statement of the applicant's title and of any liens or encumbrances upon said motor vehicle. The secretary of state shall use reasonable diligence in ascertaining whether or not the facts stated in said application for a certificate of title are true, and if satisfied that the applicant is the lawful owner of such motor vehicle or otherwise entitled to have the same registered in his name, shall thereupon issue an appropriate certificate over his signature and sealed with the seal of his office, procured and used for such purpose. Said certificate shall contain such description and other evidences of identification of said motor vehicle as the Secretary of State may deem

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reasonably necessary and proper, together with a statement of any liens or encumbrances which the application may show to be thereon. The charge for each original certificate so issued shall be one dollar (\$1.00), which charge shall be in addition to the charge for the registration of such motor vehicle. Said certificate shall be good for the life of the car, so long as the same is owned or held by the original holder of such certificate, and shall not have to be renewed annually. In the case of motor vehicles now owned and already registered in this State during the year 1921, an application for a certificate of title, accompanied by such evidences of ownership and liens as the Secretary of State may require, shall be made within ninety (90) days after this Act becomes effective. Immediately upon the passage of this Act, it shall be the duty of the Secretary of State to cause to be printed copies of this section and to mail to every person to whom he has issued a certificate of registration for the year 1921 one of such printed copies accompanied by a specific notice that the title of such motor vehicle must be registered as herein provided. After the expiration of said ninety days, it shall be unlawful and a misdemeanor, punishable by a fine of not less than five dollars (\$5.00) nor more than one thousand dollars (\$1,000.00), for any person to operate in this State a motor vehicle under a Delaware registration number unless such certificate of title shall have been issued as herein provided. In the event of the sale or transfer of the ownership of a motor vehicle for which an original certificate of title has been issued as aforesaid, the original holder of such certificate shall endorse on the back of the same an assignment thereof, with warranty of title in form printed thereon, with a statement of all liens or encumbrances on said motor vehicle, and deliver the same to the purchaser or transferee at the time of the delivery to him of such motor vehicle. The purchaser or transferee shall then present such certificate, assigned as aforesaid, to the Secretary of State, at the time of making application for the registration of such motor vehicle, whereupon a new certificate of title shall be issued to the assignee, the charge therefor being one dollar (\$1.00). Said original certificates, when so assigned and returned to the Secretary of State, together with subsequent assignments of reissues of certificates, shall be retained by the Secretary of

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State and appropriately indexed, so that at all times it will be possible for him expeditiously to trace title to the motor vehicle designated therein. Beginning with the expiration of ninety days from the date upon which this Act becomes effective, and thereafter, it shall be unlawful and a misdemeanor, punishable by a fine of not less than five (\$5.00) nor more than one thousand dollars (\$1,000.00), or by imprisonment for not more than ten (10) years, or both, for any one to sell or to purchase within the limits of this State any motor vehicle, unless at the time of the delivery thereof there shall pass between the parties such certificate of title with an assignment thereof in the form prescribed by the Secretary of State. Any person who shall knowingly make any false statement, either in his application for the ownership certificate herein provided for or in any assignment thereof, or who, with intent to procure or pass title to a motor vehicle which he knows or has reason to believe has been stolen, shall receive or transfer possession of the same from or to another, or who shall operate or be an occupant of any motor vehicle which he knows or has reason to believe has been stolen, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five hundred dollars (\$500.00) or more than five thousand dollars (\$5,000.00), or by imprisonment for not less than sixty (60) days or more than five (5) years, or by both fine and imprisonment, in the discretion of the court. This provision shall not be regarded as exclusive of other penalties prescribed by existing or any future law for the larceny or unauthorized use of a motor vehicle. In the case of manufacturers and dealers in motor vehicles, motorcycles, side-cars or trailers, all of which are intended to be covered by this and all other provisions of this section, a separate certificate of title, either of such dealers immediate vendor, or of the dealer himself, shall be required in the case of each motor vehicle in his possession, and the Secretary of State shall determine the form in which applications for such certificates of title and assignments thereof shall be made, in case forms differing from those used in case of individuals are in his judgment reasonably required; provided, however, that no such certificates shall be required in the case of new motor

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vehicles sold by manufacturers to dealers as the term "dealers" is defined in 238 Sec. 201 of this Act.

The receipts of the Secretary of State under the provisions of this section shall be set aside and retained by him in a separate fund, and used: First, to meet the additional expenses of his office necessitated by the registration and recording herein required; the balance of such fund to be used by him in the employment of additional assistants, and measures to prevent, so far as reasonably possible, the theft of automobiles and disposition of stolen automobiles in this State, and for no other purpose. If, at the end of any year, there is a balance in said fund said balance shall be carried into the next year for the uses aforesaid, and shall not revert to the State Treasury.

In the case of a lost certificate, the loss of which is accounted for to the satisfaction of the Secretary of State, a duplicate may be issued; the charge therefor to be fifty (50) cents.

Any person who shall alter or forge any certificate of title issued by the Secretary of State pursuant to the provisions of this section, or any assignment thereof, or who shall hold or use any such certificate or assignment knowing the same to have been altered or forged, shall be deemed guilty of a felony, and, upon conviction thereof shall be required to pay a fine of not less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00), or in default of the payment thereof be imprisoned for a period of not less than one (1) year, nor more than ten (10) years, or be both fined and imprisoned, in the discretion of the Court.

Any person who removes, defaces, alters, changes, destroys or obliterates, in any manner or way, or who causes to be removed, defaced, altered, changed, destroyed or obliterated, in any manner or way, any trade mark, distinguishing or identification mark, serial number or mark on or from any motor vehicle, as defined in this Act, or who shall sell any such motor vehicle, knowing the same to be in such condition, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be

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subject to a fine of not exceeding one thousand dollars (\$1,000.00), or by imprisonment for any term not exceeding seven (7) years, or both, in the discretion of the court.

Any person having in his possession or custody (as owner or otherwise) at the time of the enactment of this section, a motor vehicle on which or from which any trade mark, distinguishing number or identification number, serial number, or mark has been, or is, covered, removed, defaced, destroyed or obliterated, or altered or changed in any way, shall within sixty (60) days from the passage of this Act, file with the Secretary of State a verified statement showing the source of his title, the proper trade marks, identification or distinguishing number, serial number or mark, if known; and, if known, the manner of and reason for such mutilation, change, alteration, concealment or defacement, the length of time such vehicle has been held and the price paid therefor; and no prosecution shall be had under this paragraph when such statement has been properly filed and the new mark or number provided for in this Section properly substituted; otherwise the penalty prescribed in this section to be imposed.

Any person who shall, after the enactment of this section, come into possession or custody (as owner or otherwise) of any motor vehicle from which or on which any trade mark, distinguishing or identification number, serial number or marks has been or is covered, removed, defaced, destroyed or obliterated, or altered or changed in any manner or way, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine of not less than five dollars (\$5.00) nor more than one thousand dollars (\$1,000.00), or imprisonment for not more than seven years, or both, in the discretion of the court, unless such person shall, within ten (10) days from the time when such motor vehicle shall have come into his possession, file with the Secretary of State the verified statement required by this Section, and substitute a new distinguishing mark or number as next hereinafter provided.

In the case of an obliterated or defaced mark or number

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being reported as aforesaid, the Secretary of State shall assign a new distinguishing mark or number to be used in lieu of the one so obliterated or defaced, after which the mark or number so assigned shall be regarded as the one thereafter properly to be used within the meaning of this section after such mark or number is placed upon such motor vehicle in a permanent manner.

This Act shall take effect from and after the first day of June, A. D. 1921.

Approved March 24, A. D. 1921.

CHAPTER 9

INCOME TAX

AN ACT to provide Revenue for School Purposes.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

ARTICLE I.

Section 1. As used in this Article, the following words and phrases are defined as follows: "The phrase "income tax" means the tax imposed by Section 2 hereof; the word "taxable" means a natural person twenty-one years of age or over who is a citizen or resident of the State of Delaware, or a minor with a net income of one thousand dollars or more who is a citizen or resident of the State of Delaware; the word "fiduciary" means a guardian, trustee, executor or administrator or any person or corporation acting in any fiduciary capacity for any person, trust or estate; the words "income year" mean the calendar year or the fiscal year on the basis of which the income is computed under this Article; the phrase "net income" means the aggregate of all gains, profits, salaries, wages, compensation for personal service of whatever kind and in whatever form paid, income derived from professions, vocations, business, trade, commerce, sales or dealings in real or personal property growing out of the ownership or use of or interest in such property, also from interest, dividends, securities or the transaction of any business carried on for gain or profit, or gains or profits and income derived and actually received into possession by a taxable from any source whatever, and also the share of the profits of any taxable in a co-partnership whether such profits have been divided or otherwise, less the aggregate of the deductions provided for in Section 4, provided, that for the purpose of ascertaining the gain or loss, resulting from the sale or other disposition of property, acquired before January first, 1920, the fair market price or value of such property as of said date shall be the basis

INCOME TAX

for determining the amount of such gain or loss; the word "dividends" means any distribution made by a corporation, joint stock company or association out of its earnings or profits accrued during the income year and paid out to its shareholders, whether in cash or property; the word "resident" applies only to natural persons and includes for the purpose of determining liability to the tax imposed by this Article, any person who shall at any time during the last six months of the calendar year be a resident of the state; the word "non-resident" means any natural person who is not a resident of the State of Delaware.

Section 2. There shall be levied, assessed, collected and paid annually, beginning with the year 1922, for school purposes upon the entire net income received in the preceding calendar year from all sources by every taxable, subject to the exemptions hereinafter named, a tax to be computed as follows: One Per Centum of the amount of net income not in excess of three thousand dollars; two per centum of the amount of net income in excess of three thousand dollars, but not in excess of ten thousand dollars, three per centum of the amount of net income in excess of ten thousand dollars. Such tax shall be levied, collected and paid upon and in respect to the taxable income for the calendar year or for any income year ending during the year.

Section 3. The following incomes shall be exempt from income tax:

(a) The proceeds of life insurance policies paid to individual beneficiaries upon the death of the insured; the amount received by the insured, as a return of premium or premiums paid by him under life insurance, endowment or annuity contracts, either during the term or at the maturity of the term mentioned in the contract or upon the surrender of the contract; the value of property acquired by gift, bequest, devise or descent; interest upon the obligations of the State of Delaware or any political sub-division thereof or upon the obligations of the District of Columbia, the United States or its possessions, also any amounts paid to injured employees or to the dependents of

INCOME TAX

deceased employees under the terms of "The Delaware Workman's Compensation Law of 1917."

(b) In the case of a single person, a personal exemption of one thousand dollars, or in the case of the head of a family, or a married person living with husband or wife, a personal exemption of two thousand dollars, provided, however, that husband and wife living together shall receive but one personal exemption of two thousand dollars against their aggregate net income.

Section 4. In computing net income, the following deductions shall be allowed:

First: The necessary expenses actually paid by the taxable in carrying on any business or trade, not including personal, living or family expenses.

Second: All interest paid by the taxable within the year on his indebtedness.

Third: Taxes, except income taxes, paid or accrued within the income year, imposed by the authority of the United States or its territories or possessions or any foreign country, or under the authority of any state, county, school district or other taxing subdivision of any state, or by the District of Columbia, except also taxes imposed by this Article and taxes assessed for local benefits of a kind tending to increase the value of the property assessed.

Fourth: Losses sustained during the income year and not compensated for by insurance or otherwise, if incurred in connection with the trade or business; provided, however, that losses sustained in the purchase and sale or ownership of stocks, bonds or other securities shall be allowed only to the extent of gains or income from such transactions or ownership.

Fifth: Debts ascertained to be worthless and charged off

INCOME TAX

within the income year, if the amount has previously been included in gross income in a return under this Article.

Sixth: A reasonable allowance for the exhaustion, wear, and tear of property arising out of its use or employment in the trade or business of the taxable.

Section 5. (a) The tax imposed by this Article shall apply to the income of the estates or of any kind of property held in trust, including:

(1) Income received by estates of deceased persons during the period of administration or settlement of the estate;

(2) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests;

(3) Income held for future distribution under the terms of the will or trusts; and

(4) Income which is to be distributed to the beneficiaries periodically, whether or not at regular intervals, and the income collected by a guardian of an infant to be held or distributed as the court may direct.

(b) The fiduciary shall be responsible for making the return of income for the estate or trust for which he or it acts. The net income of the estate or trust shall be computed in the same manner and on the same basis as hereinbefore provided in this Article, except that there shall also be allowed as a deduction, any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is during the taxable year paid to or permanently set aside for the United States, any state, territory or any political sub-division thereof, or the District of Columbia, or any corporation organized and operated exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual; and in cases under paragraph 4 of

INCOME TAX

sub-division (a) of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of net income, whether or not distributed before the close of the taxable year for which the return is made.

(c) In cases under paragraphs (1), (2) or (3) of sub-division (a) the tax shall be imposed upon the net income of the estate or trust and shall be paid by the fiduciary, except that in determining the net income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee, heir or other beneficiary. In such cases the estate or trust shall be allowed the same credits as are allowed to single persons under Section 3, of this Article.

(d) In cases under paragraph (4) of sub-division (a) and in the case of any income of an estate during the period of administration or settlement permitted by sub-division (c) to be deducted from the net income upon which tax is to be paid by the fiduciary, the tax shall not be paid by the fiduciary, but there shall be included in computing the net income of each beneficiary his distributive share, whether distributed or not, of the net income of the estate or trust for the taxable year, or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the estate or trust is computed, then his distributive share of the net income of the estate or trust for any accounting period of such estate or trust ending within the fiscal or calendar year upon the basis of which such beneficiary's net income is computed.

SECTION 6. Every taxable shall make a return under oath, stating specifically the items of gross income, if any, the deductions and such other facts as the Tax Department may require. The return required by this section may be made for such persons, when such persons are unable to make such returns, by some other person who shall make oath that he has sufficient knowledge of the affairs of the taxable for whom he makes the return to make such return and that the return is true and cor-

INCOME TAX

rect. Such person so making a return for another shall incur the penalties provided for erroneous, false or fraudulent returns. Provided, that in the case of women receiving Mothers' Pensions, inmates of almshouses and other charitable institutions, persons receiving outside support from Trustees of the Poor and persons who, because of age, infirmity or mental disability, are wholly dependent for support, no return need be made under this Act and no tax shall be paid.

ARTICLE II

Section 7. 1. For the privilege of exercising its franchise in this State in a corporate or organized capacity, every corporation doing business in the State, except corporations hereinafter specified, shall pay to the Tax Department for school purposes, each and every year, beginning with the year 1922, an annual tax at the rate of two and one-half mills upon each dollar of the actual value of that portion of its capital (including surplus or undivided profits) used and invested in this state during the preceding calendar year; for the purposes of this Article, invested capital shall be the difference between the value of the assets and the amount of the debts of a corporation, and the taxable invested capital shall be determined as of December 31st of each taxable year, the first taxable year under this Act being the year 1921; provided, that upon application to the Tax Commissioner and satisfactory evidence that the fiscal year of the Corporation Applicant is not the calendar year, the said Tax Commissioner may determine the taxable invested capital of such Corporation Applicant as of the last day of its preceding fiscal year.

2. RECIPROCAL PROVISION AS TO FOREIGN CORPORATIONS:— If the laws of any other State impose upon any Delaware corporation doing business therein, a smaller amount of taxes than would be imposed on such corporation by the laws of this State if such corporation were a corporation of such other State doing business in Delaware the tax shall be, in lieu of the tax provided by this Article, a sum sufficient to make the total taxes imposed by the laws of this State on each such corporation, the same amount as would be imposed on such corporation by the laws

INCOME TAX

of such other State if such corporation were a Delaware corporation doing business in such other State.

Section 8. DEFINITIONS:—For the purposes of this Article unless otherwise required by the context:

1. The words "Tax Department" mean the State School Tax Department.

2. The words "Tax Commissioners" mean a Commissioner of State School Taxes.

3. The word "Taxable" means any corporation subject to the tax imposed by this Article.

4. The word "corporation" includes joint stock companies or associations.

5. The words "tangible property" mean real property or corporeal personal property and do not mean money, bank deposits, shares of stock, bonds, notes, credits, evidences of debt, choses in action or evidences of the interest in property.

6. The words "intangible property" mean all property other than tangible property.

Section 9. CONDITIONAL AND OTHER EXEMPTIONS:—The following organizations shall be exempt from taxation under this Article:

1. Labor, agriculture, horticultural, drainage or ditch companies;

2. Fraternal, beneficiary societies, order or associations, (a) operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system, and (b) providing for the payment of life, sick, accident or other benefits to the members of such society, order or association or to their dependents;

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3. Building and loan associations organized and operated for mutual purposes.

4. Cemetery corporation and corporations organized for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

5. Incorporated business leagues, chambers of commerce or boards of trade, not organized for profit and no part of the net earnings of which inures to the benefit of any private stockholder or individual;

6. Incorporated civic leagues or organizations not organized for profit, but operated exclusively for the promotion of social welfare.

7. Incorporated clubs organized and operated exclusively for pleasure, recreation and other non-profitable purposes, no part of the net earnings of which inures to the benefit of any private stockholder or member.

8. Incorporated farmers' or other mutual hail, cyclone or fire insurance companies, mutual ditch or irrigation companies, mutual or co-operative telephone companies, or like organizations of a purely local character, the current income of which consists solely of assessments, dues and fees collected from members for the sole purpose of meeting expenses.

9. Farmers' fruit growers' or like organizations, organized and operated as sales agents for the purpose of marketing the products of members and turning back to them the proceeds of sales, less the necessary selling expenses, on the basis of the quantity of produce furnished by them.

10. Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organiza-

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tion which itself is exempt from the tax imposed by this Article; corporations whose only business is the collecting of rent for all of their property located in this State, leased to another corporation of this State, provided that the lessee of such property shall pay the tax assessed against it as provided in this Act; and provided, that the tax so paid shall be at least as much as would have been paid by such lessor corporation, if such lease had not been made.

11. Banks, savings banks, institutions for savings, insurance companies, trust companies and corporations whose sole business consists of holding the stock of other corporations, unless it shall appear that such holding corporation was organized or is being used by residents of this State for the purpose of avoiding the payment of taxes to this state. If fifty-one per cent or upwards of the outstanding capital stock of such corporation shall be owned by a single individual or by his or her spouse or children, or by any other person for the said individual, or his or her spouse or children, or if fifty-one per cent of its entire assets at the time of its organization were owned by an individual, or his or her spouse or children, or by any other person for the said individual or his or her spouse or children, the presumption shall be that such corporation was organized for the purpose of evading the payment of taxes to this State, and the burden shall be on such corporation to prove the contrary.

12. Incorporated towns, cities or municipalities or any utilities owned exclusively by such sub-divisions of the State as for the manufacture of steam, gas or electricity.

13. Corporations which, under existing laws, pay a gross sum to the State in lieu of all taxes under any and all laws of this State, and Railroad companies engaged in operating any railroad in this State under a lease or stock ownership thereof authorized by existing law.

14. Corporations merely maintaining a principal office or place of business in this State with a resident Agent in charge thereof, keeping original or duplicate stock ledgers, holding cor-

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porate meetings and keeping cash or securities on deposit in this state shall not be construed to be doing business in the State.

Section 10. 1. Every corporation subject to tax under this Act shall make a return, under oath, stating specifically the whole of its invested capital, both in and out of the State, and the items constituting the same, the value of its tangible property, both in and out of the state, and the items constituting the same, and the kind of business carried on by such corporation, and such other facts as the Tax Department may require of the said Corporation for the purpose of making any computation required by this Act.

2. The return shall be sworn to by the president, vice-president or other principal officer and by the treasurer or assistant treasurer.

Section 11. CONSOLIDATED RETURNS. Any corporation, exercising either directly or indirectly, substantially the entire control of the business of another corporation either by ownership or control of substantially the entire capital stock of such other corporation or otherwise, may, under regulations to be prescribed by the Tax Department, be permitted to make a consolidated return showing the consolidated taxable capital and such other information as the Tax Department may require in order to compute the tax properly attributable to the State and to impose the tax upon the taxables concerned.

2. The Tax Department may permit the filing of a consolidated return where substantially the entire control of two or more corporations liable to taxation under this Article is exercised by the same interests.

Section 12. If the taxable uses or has invested only a portion of its capital (including surplus or undivided profits) within this State the portion of such capital to be taxed under this Section shall be determined as follows:

1. Ascertain the whole of its invested capital both in and out of the State.

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2. Ascertain the value of its tangible property both in and out of this State.

3. Ascertain the proportion which such value of the tangible property located in this State bears to the whole value of the tangible property of the Corporation.

4. The total invested capital of the Corporation multiplied by the proportion or fraction thus ascertained shall be the invested capital of such corporation located in this State.

ARTICLE III.

DEFINITIONS:

1. The words "Tax Department" mean the State School Tax Department;

2. The words "Tax Commissioner" mean the State School Tax Commissioner;

3. The word "Taxable" means any individual, partnership or corporation subject to taxes imposed by Articles I and II of this Act.

4. Any "notice", "notification" or "receipt" required to be given or provided for by this Article shall be written notice, notification or receipt, contained in a sealed envelope, addressed to the taxable at his usual place of abode and deposited in the United States mails unless delivered to the taxable in person;

5. The word "resident" when applied to natural persons shall be interpreted as in Article I.

Section 13. STATE SCHOOL TAX DEPARTMENT:—The administration and enforcement of the provision of Articles I and II of this Act, and the collection of the taxes imposed thereby, and the collection of franchise taxes, provided for in Article 8, of Chapter 6, of the Revised Code, are hereby vested in the State

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School Tax Department, which Department is hereby created to consist of a State School Tax Board composed of the State School Tax Commissioner, the Secretary of State and the Auditor of Accounts. The last named members shall act without compensation.

Section 14. STATE SCHOOL TAX COMMISSIONER:—The office of State School Tax Commissioner is hereby created. The State School Tax Commissioner shall be appointed by the Governor by and with the advice and consent of the Senate for a term of four years beginning November 1, 1921, and until his successor shall have been duly appointed and qualified at a salary of four thousand dollars per annum, to be paid in equal monthly installments. Any incumbent of such office may be reappointed to succeed himself. Vacancies in the office of the Tax Commissioner shall be filled by the Governor for the unexpired term. He shall give such bond as may be required by the State Board of Education, the cost of which bond shall be defrayed out of the appropriation for maintenance of the Tax Department. Any Tax Commissioner may, after notice and an opportunity of being heard, be removed from office by the Governor for inefficiency, neglect of duty or misconduct in office, and a Tax Commissioner may be removed for other causes by the Senate on the recommendation of the Governor.

No person shall be appointed Tax Commissioner unless he be known to possess knowledge of the subject of taxation and ability and experience in administration.

Section 15. POWERS AND DUTIES OF THE TAX DEPARTMENT:—The Tax Department shall:

1. administer, supervise, collect and enforce the Personal Income Tax imposed by Article I of this Act;
2. administer, supervise, collect and enforce the Corporation Tax imposed by Article II of this Act;
3. collect and enforce the Franchise Taxes provided for in Article 8, of Chapter 6, of the Revised Code;

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4. prepare all necessary forms and blanks required in the administration of the Personal Income Tax or the Corporation Tax;
5. make such rules and regulations, not inconsistent with this act, and require such facts and information to be reported as it may deem necessary to enforce the Personal Income Tax and the Corporation Tax imposed by this Act;
6. take testimony and proofs under oath, with reference to any matter which in its judgment falls within the line of its official duty. Any member of the Department may be designated for such purpose;
7. hear complaints and appeals from decisions of the Tax Commissioner under such rules and regulations as the Department may adopt;
8. pay monthly to the State Treasurer all sums collected by the Tax Department from the Personal Income Tax or the Corporation Tax, or from filing fees, except such sum as is retained in accordance with other provisions of this act as a repayment fund.
9. require such of its officers, agents or employees as it may designate to give bond for the faithful performance of their duties, in such sum and with such securities as it may determine, and all premiums on such bonds shall be paid by the Tax Department out of moneys appropriated for that purpose;
10. prepare and publish annual statistics, reasonably available, with respect to the operation of these Articles including amounts collected, classification of taxpayers' income and exemption and such other facts as are deemed pertinent and desirable;
11. take all necessary steps to enforce the penalties provided by this Act;

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12. discharge such other duties and functions as may be required of the Tax Department in other sections of Articles I, II and III of this Act;
13. prepare and submit to the Governor and to the Legislature an annual report including such recommendations concerning State School Taxes as may be deemed necessary;
14. prepare and submit biennially to the State Board of Education, on or before the first day of February: (a) an estimate of revenues to be received during each of the two succeeding years from the Personal Income Tax and the Corporation Tax; (b) an itemized estimate of the sums required for the maintenance of the Tax Department.

For the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income of any taxpayer, the Tax Department may examine or cause to be examined by any agent or designated representative any books, papers, records or memoranda bearing upon the matters required to be included in a return, and may by summons require the attendance of the taxpayer or of any other person having knowledge in the premises, and may take testimony and require proof material for its investigation, with power to administer oaths to such person or persons.

The Tax Department may constitute its agents, field agents or other appointees special constables, and as such they shall have and possess all of the powers that are possessed by County Constables under the laws of this State.

The Secretary of State shall certify and report, as provided for in 106, Section 69, of said Article 8 of Chapter 6, of the Revised Code, to the Tax Department instead of the State Treasurer as in said Section provided, and the Tax Department, upon its organization, shall have all the powers vested in the State Treasurer and be charged with all his duties provided in said

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Article 8, of said Chapter 6, of the Revised Code. Upon such organization of said Tax Department, Section 85, of said Article 8, of Chapter 6, of the Revised Code, shall be repealed.

Section 16. POWERS AND DUTIES OF THE TAX COMMISSIONER:
—The Tax Commissioner shall:

1. act as chairman of the Tax Board;
2. be the executive head of the Tax Department and have sole charge of the administration of the Department. Upon him shall devolve all executive powers and all duties of the Tax Department not specifically vested in the Tax Board by Section 18;
3. appoint and may remove: (1) a Personal Income Tax Deputy; (2) a Corporation Tax Deputy; (3) and all other assistants, agents, field agents, clerks or other employees who may be necessary for the duties of the Tax Department;
4. prescribe the duties of all such appointees;
5. maintain a permanent public record of all decisions, rules and rulings of the Tax Department;
6. organize such branch offices as may be necessary.

The Tax Commissioner may appoint an unpaid advisory board of ten lawyers and tax experts to make recommendations concerning the rules, regulations and decisions of the Department.

The Tax Commissioner may delegate any powers that devolve upon him except that of sitting as a member or chairman of the Tax Board.

Section 17. POWERS AND DUTIES OF THE TAX BOARD:—The Tax Board shall:

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1. elect from among the members of the Board a vice-chairman to preside in the absence of the chairman;
2. decide all questions of policy submitted by the Commissioner;
3. hear complaints and appeals from the decisions or the Tax Commissioner, and affirm, modify or reverse such decisions or rulings;
4. fix the salaries of all appointees of the Tax Commissioner, provided, however, that the salary of the Personal Income Tax Deputy shall not exceed Three Thousand Dollars per annum, the salary of the Corporation Tax Deputy shall not exceed Three Thousand Dollars per annum, and provided that the salary of no other appointee shall exceed Three Thousand Dollars per annum, and that the total of all salaries shall in no case exceed the amounts appropriated therefor by the Legislature. The quorum for the transaction of business of the Tax Board shall be any two members including the Tax Commissioner.

Section 18. FILING RETURNS:—Returns shall be in such form as the Tax Department shall prescribe, from time to time, and shall be filed with the Tax Department at its main office, or at any branch office which it may establish, on or before the fifteenth day of March in each year, for the preceding year. In case of continued sickness, absence or other disability, or whenever in its judgment good cause exists, the Tax Department may allow further time for filing returns; failure to receive or secure the blank forms for said returns shall not relieve any taxable from the obligation of making the return.

Returns of the income of minors, idiots and insane taxables shall be made by their guardians, trustees or other persons having charge of their estates and the collection of their income. Such fiduciary shall make oath that he has sufficient knowledge of the affairs of the taxable for whom he makes a return to

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enable him to make such return and that the same is, to the best of his knowledge and belief, true and correct, and such fiduciary shall assume the responsibility of making the return and shall incur the penalties provided for erroneous, false or fraudulent returns. Where there are joint fiduciaries any one of them may make the return.

Section 19. Upon filing the annual return provided for under Articles I, II and III of this Act, the taxable shall pay to the Tax Department a filing fee of Three Dollars. The Tax Department shall not receive and file a return until said filing fee is paid, and the offer to file such return without paying such fee shall not be construed to be a compliance with the requirement to file a return and shall not relieve the taxable from the penalties provided for failure to file such return.

Section 20. FAILURE TO FILE RETURNS:—If the Tax Department shall be of the opinion that any taxable has failed to file a return, or to include in a return filed, either intentionally or through error, items of taxable income, or items of taxable invested capital, it may require from such taxable a return or a supplementary return, under oath, in such form as it shall prescribe, of all the items of income which the taxable received during the year for which the return is made, whether or not taxable under the provisions of this Act; the above shall apply to all the items of invested capital of a corporation for which the return is made, whether or not taxable under the provisions of this Act. If from a supplementary return, or otherwise, the Tax Department finds that any items of income, or of invested capital, taxable under this Act, have been omitted to be disclosed to it, under oath of the taxable, and to be added to the original return, such supplementary return and the correction of the original return shall not relieve the taxable from any of the penalties to which he or it may be liable under the provisions of this Act. The Tax Department may proceed under the provisions of Section 28, of this Article whether or not it requires a return or a supplementary return under this section.

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Section 21. TIME AND PLACE OF PAYMENT OF TAX:—

1. The full amount of the tax payable, as the same shall appear from the face of the return, shall be paid to the Tax Department at the office where the return is filed, at the time fixed by law for filing the return. If the time for filing the return shall be extended, interest at the rate of six per cent per annum, from the time when the return was originally required to be filed, to the time of payment, shall be added and paid.

2. The tax may be paid with uncertified check, certified check or money order during such time and under such regulations as the Tax Department shall prescribe, but if a check or money order so received is not paid on demand by the bank or postoffice on which it is drawn, the taxable by whom such check is tendered shall remain liable for the payment of the tax and for all legal penalties, the same as if such check or order had not been tendered.

3. In the payment of taxes credit shall be allowed the following corporations for taxes actually paid to the State of Delaware other than for a certificate of incorporation or for a certificate of increase of capital stock, during the same year, canal, telegraph, telephone, electric light, heat and power companies, water and gas companies, cable companies, oil or pipe line corporations, parlor, palace or sleeping car corporations, and other foreign or domestic corporation which, under existing laws, are subject to taxation by this State for State purposes.

Section 22. All payments of income tax for minors, idiots, or insane persons shall be made by their guardians, trustees or other persons having charge of their estate and the collection of the income thereof, and all such fiduciaries shall have credit for the amount of such payments against the beneficiary in any account which they make as such fiduciaries, and receipts for such payments from the State School Tax Department shall be sufficient vouchers to entitle such fiduciaries to such credit.

Section 23. EXAMINATION OF RETURNS:—1. As soon as

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practicable after the return is filed, the Tax Department shall examine it and compute the tax and the amount so computed shall be the tax. If the tax found due shall be greater than the amount theretofore paid, the excess shall be paid to the Tax Department within ten days after notice of the amount shall have been mailed by the Tax Department.

2. If the return is made in good faith and the under statement of the tax is not due to any fault of the taxable, there shall be no penalty or additional tax added because of such under statement, but interest shall be added to the amount of the deficiency at the rate of one per cent for each month or fraction of a month.

3. If the under statement is due to negligence on the part of the taxable, but without intent to defraud, there shall be added to the amount of the deficiency five per cent thereof, and in addition, interest at the rate of one per cent per month or fraction of a month.

4. If the under statement is false or fraudulent, with intent to evade the tax, the tax on the additional income, or additional invested capital, discovered to be taxable shall be doubled and an additional one per cent per month or fraction of a month shall be added.

5. The interest provided for in this section shall in all cases be computed from the date the tax was originally due to the date of payment.

6. If the amount of tax found due as computed shall be less than the amount theretofore paid, the excess shall be refunded by the Tax Department out of the proceeds of the tax retained by it as provided in this Act.

Section 24. ADDITIONAL TAXES:—If the Tax Department discovers from the examination of the return or otherwise that the income, or invested capital, of any taxable, or any portion thereof, has not been assessed, it may, at any time within two

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years after the time when the return was due, assess the same and give notice to the taxable of such assessment, and such taxable shall thereupon have an opportunity, within thirty days, to confer with the Tax Department as to the proposed assessment. The limitation of two years to the assessment of such tax shall not apply to the assessment of additional taxes upon fraudulent returns. After the expiration of thirty days from the notification, the Tax Department shall assess the income, or invested capital, of such taxable or any portion thereof which it believes has not heretofore been assessed and shall give notice to the taxable so assessed of the amount of the tax and interest and penalties, if any, and the amount thereof shall be due and payable within ten days from the date of such notice. The provisions of this act with respect to revision and appeal shall apply to a tax so assessed. No additional tax amounting to less than one dollar shall be assessed.

Section 25. COLLECTION OF DELINQUENT TAXES:—If any taxable liable to pay taxes imposed by these Articles neglects or refuses to pay the same within sixty days after same become due, the Tax Department is hereby authorized and it is hereby expressly made its duty to bring suit in the name of the State of Delaware against such taxable to recover the amount of the tax together with all interest, penalties and costs that may accrue in addition thereto, by an action of debt, in any court having jurisdiction of the amount involved, and it shall be sufficient for the purpose of establishing the claim of the plaintiff, to prove the assessment of the tax and the facts and circumstances connected with making the same. Upon the recovery of judgment in any such suit it shall be the duty of the Tax Department forthwith to utilize the most expeditious means provided by law for the collection of the amount of the judgment so recovered; and it is hereby expressly provided that no property, wages, salaries or other income of any taxable shall be exempt from execution, or attachment process issued upon or for the collection of any such judgment.

Section 26. RECEIPT FOR TAXES:—It shall be the duty of the Tax Department on request to give or send to the taxable

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or to its authorized agent, making payment in accordance with the provisions of this Act, a full written or printed receipt expressing the amount paid and the particular account for which such payment was made.

Section 27. TAX A DEBT:—Every tax imposed by this act, and all increases, interest and penalties thereon, shall become, from the time it is due and payable, a personal debt, from the person or persons or corporation liable to pay the same, to the State of Delaware.

Section 23. PENALTIES:—1. If any taxable, without intent to evade any tax imposed by this Act, shall fail to file a return of income, or of invested capital, or pay a tax, if one is due, at the time required by or under the provisions of this Act, but shall voluntarily file a correct return of income, or of invested capital, and pay the tax due within sixty days thereafter, there shall be added to the tax an additional amount equal to five per cent thereof, but such additional amount shall in no case be less than one dollar and an additional one per cent for each month or fraction of a month during which the tax remains unpaid.

2. If any taxable fails voluntarily to file a return of income, or of invested capital, or to pay a tax if one is due within sixty days of the time required by or under the provisions of this Act, the tax shall be doubled, and such doubled tax shall be increased by one per cent for each month or fraction of a month from the time the tax was originally due to the date of payment.

3. Any person or any officer or employee of any corporation or member or employee of any partnership, who, with intent to evade any requirement of this Act or any lawful requirement of the State School Tax Department thereunder, shall fail to pay any tax or to make, sign or verify any return or to supply any information required by or under the provisions of this Act, or who, with like intent, shall make, render, sign or verify any false or fraudulent return or statement, or shall supply any false or fraudulent information, shall be liable to a penalty of not more than five hundred dollars, to be recovered by the Tax Depart-

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ment in the name of the State, by action in any court of competent jurisdiction, and shall also be guilty of a misdemeanor and shall, upon conviction, be fined not to exceed five hundred dollars or to be imprisoned not to exceed six months, or both, at the discretion of the court. The penalties provided by this paragraph shall be additional to all other penalties in this Act provided.

4. The Tax Department shall have the power to compromise any penalty for which it is authorized to bring action under the foregoing provisions.

5. The failure to do any act required by or under the provisions of this act shall be deemed an act committed in part at the office of the Tax Department in Dover. The certificate of the Tax Department to the effect that a tax has not been paid that a return has not been filed or that information has not been supplied, as required by or under the provisions of this act, shall be prima facie evidence that such tax has not been paid, that such return has not been filed or that such information has not been supplied.

6. If any taxable, who has failed to file a return or has filed an incorrect or insufficient return and has been notified by the Tax Department of his delinquency, refuses or neglects within thirty days after such notice to file a proper return, or files a fraudulent return, the Tax Department shall determine the income, or invested capital, of such taxable according to its best information and belief and assess the same at not more than double the amount so determined. The Tax Department may in its discretion allow further time for the filing of a return in such case.

7. Any taxable who shall refuse or neglect to make the return required to be made under Article I of this Act within thirty days after the last day for making such return, or who shall refuse or neglect to pay the filing fee required to be paid upon the filing of such return, or who shall refuse or neglect to pay the tax assessed against such taxable within thirty days

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after it becomes due, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months or both in the discretion of the court.

Any officer of any taxable who shall refuse or neglect to make the return which he is required to make for such taxable under Article II hereof, or who shall refuse to pay the filing fee required to be paid upon the filing of such return shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months or both, in the discretion of the court.

Any corporation against whom a tax is assessed under Articles I, II and III of this Act who shall fail for thirty days after the same becomes due to pay said tax shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars.

Provided, however, that in each case of refusal or neglect by a taxable to make a return or pay the filing fee or tax as aforesaid the Tax Commissioner shall be and he is hereby authorized and empowered with the approval of the Attorney General at any time before trial to compromise by permitting the taxable to make a return or to pay such filing fee or tax together with a specific penalty for refusal or neglect of not less than the sum of five dollars and cost that may have been incurred.

Section 29. REVISION:—A taxable may apply to the Tax Department for revision of the tax assessed against him, or it, at any time within one year from the time of the filing of the return or from the date of the notice of the assessment of any additional tax. The Tax Department may grant a hearing thereon and, if it shall determine that the tax is excessive or incorrect, it shall resettle the same according to the law and the facts and adjust the computation of tax accordingly. The Tax Department shall notify the taxable of such determination and shall refund to the taxable the amount, if any, paid in excess of the

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tax found by it to be due. If the taxable has failed, without good cause, to file a return within the time prescribed by law, or has filed a fraudulent return, or having filed an incorrect return, has failed, after notice, to file a proper return, the Tax Department shall not reduce the tax below double the amount for which the taxable is found to be properly assessed.

Section 30. APPEALS:—The determination of the Tax Department shall be final and conclusive unless within thirty days after a notice thereof has been sent to the taxable, such taxable shall appeal to the Superior Court. Every such appeal shall be determined by the Court without the aid of a jury. The Prothonotary shall not require any deposit or security to cover the costs incident to taking such appeal.

The Superior Court for the several counties of the State, is hereby vested with the jurisdiction to hear and determine all such appeals and may, by proper rules, prescribe the procedure to be followed in such appeals. Costs may be awarded by the said Court in its discretion and when so awarded the same shall be allowed, taxed and collected as other costs are collected.

Section 31. EXPENSES:—The Tax Department and its officers and employees shall be entitled to receive from the State their actual and necessary expenses while engaged outside of the city of Dover in the performance of their duties unless they are permanently assigned to serve the Tax Department at a branch office, in which case no allowance shall be made for expenses incurred in such town or city. All expense accounts shall be made in detail and shall be approved by the Tax Commissioner, the total of which shall in no case exceed the sums appropriated therefor.

Section 32. LEGAL ADVICE BY ATTORNEY GENERAL:—It shall be the duty of the Attorney General to give counsel, advice and legal assistance to the Tax Department and to assist in the prosecution of violations of this Act when such counsel, advice or assistance is requested by the Tax Department.

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Section 33. **REPAYMENT FUND:**—The Tax Department shall retain in its hands of the revenue collected from the taxes imposed by Articles I and II a sum sufficient to provide at all times a fund of twenty thousand dollars, out of which it shall pay any refunds to which taxables shall be entitled under the provisions of this Article. Said fund shall be deposited in the financial institution which is the legal depository of State moneys to the credit of the State School Tax Department and shall be disbursable on order of the Tax Commissioner.

Section 34. **CONTRACT TO ASSUME TAXES ILLEGAL:**—It shall be unlawful for any person or corporation to agree or contract, directly or indirectly to pay, or assume, or bear the burden of any tax payable by any taxable under the provisions of these Articles. Any such contract or agreement shall be null and void and shall not be enforced or given effect by any court.

Section 35. **REPEALS:**—That Chapter 26, of Volume 29, of the Laws of Delaware, as amended by Chapter 30, of Volume 30, of the Laws of Delaware, entitled, "An Act to Amend Chapter 26 of the Revised Code of the State of Delaware by Providing for an Income Tax," shall continue in force until the first day of November, A. D. 1921, when the same shall be repealed and all income tax records or matters pertaining thereto then in the office of the State Treasurer shall be transferred to the Tax Department created by this Act, and the powers vested in, and the duties imposed upon any officers provided for in said Act shall become vested in, and imposed upon the Tax Department and its officers provided for in this Act, but for the purpose of assessing and collecting taxes under said Act, so much of said Chapter 26, of Volume 29, Laws of Delaware, as is necessary shall remain in force until all taxes assessed or assessable thereunder shall be collected.

All taxes received under the operations of this Act shall be usable for the same purposes as are the taxes now received under the provisions of the above mentioned Income Tax Law.

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All Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed.

Section 36. AFFECT ON ACTIONS:—This act shall not affect actions or proceedings, civil or criminal, pending at the time this act takes effect, brought by or against the State Treasurer, the Collector of State Revenues or the special collectors of State Revenues in respect to matters, the jurisdiction of which is not vested in such officers. Any investigations, examination or proceeding undertaken, commenced or instituted by such Personal Income Tax Officials or by the Attorney General, insofar as it relates to the present State Income Tax, may be conducted and continued to a final determination by the Tax Department in accordance with the powers hereinbefore conferred.

Section 37. UNCONSTITUTIONALITY OR INVALIDITY:—If any clause, sentence, paragraph or part of this Act shall, for any reason, be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered. No caption of any Article, Section or set of Sections shall in any way affect the interpretation of this Act or any part thereof.

Approved March 29, A. D. 1921.

CHAPTER 10

STATE REVENUE

APPROPRIATIONS

AN ACT making appropriations for the expenses of the State Government, other than legislative expenses, for the fiscal year ending on Monday immediately preceding the second Tuesday in January, in the year of our Lord One Thousand and Nine Hundred and Twenty-two, and authorizing the borrowing of money to supply casual deficiencies of Revenue for said fiscal year, and the issuance of notes or certificates of indebtedness to secure the payment thereof.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That the several amounts named in this Act, or so much thereof as may be necessary, are hereby appropriated and authorized to be paid out of the treasury of this State to the respective public officers of the respective departments and divisions of Government, and for the several purposes hereinafter specified, for the current fiscal year ending on Monday immediately preceding the second Tuesday of January in the year of our Lord one thousand nine hundred and twenty-two; provided, however, that all parts or portions of the several sums appropriated by this Act which, on said Monday immediately preceding said second Tuesday of January, A. D. one thousand nine hundred and twenty-two, shall not have been paid out of the treasury, shall be *turned to the general fund of the treasury. The said several sums hereby appropriated are as follows, viz:

EXECUTIVE DEPARTMENT

GOVERNOR

For the Governor for Salary	\$4,000.00
For the contingent expenses of the Governor's office..	3,500.00

*So enrolled.

APPROPRIATIONS

LIEUTENANT GOVERNOR

For the Lieutenant Governor for Salary as member of Board of Pardons	100.00
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DEPARTMENT OF THE SECRETARY OF STATE

For the Secretary of State for Salary	\$4,000.00
For the salary of Chief Clerk	2,000.00
For salary of Clerks for Office of Secretary of State	3,000.00
For contingent expenses of the Office of Secretary of State	25,000.00
For official bond of the Secretary of State.....	375.00

TREASURY DEPARTMENT

For salary of State Treasurer	\$3,500.00
For salary of Deputy State Treasurer	1,800.00
For contingent expenses of the office of State Treasurer	1,200.00
For contingent fund to be expended by the State Treas- urer, for Assistants, for prosecuting and collect- ing unpaid Income Tax for the year 1919	5,000.00

AUDITOR OF ACCOUNTS

For salary of Auditor of Accounts	\$3,600.00
For salary of the Deputy Auditor of Accounts	1,800.00
For contingent expenses of the office of Auditor of Accounts	700.00
For contingent expenses under Sec. 22 of Senate Bill No. 122	10,000.00

DEPARTMENT OF INSURANCE AND BANKING

For salary of the Insurance Commissioner	\$3,500.00
For salary of Clerk of the Insurance Commissioner..	1,000.00
For contingent expenses of Department of Insurance and Banking	1,500.00

APPROPRIATIONS

STATE LIBRARY

For salary of State Librarian	\$1,500.00
For contingent expenses of State Librarian	850.00
For purchase of new books	500.00

STATE LIBRARY COMMISSION

For the Appropriation for regular expenses	\$5,000.00
For contingent expenses State Library Commission..	200.00

GAME AND FISH COMMISSION

For the salary Chief Game & Fish Warden	\$600.00
For enforcing uniform Fish Law	200.00
For propagation of fish and game	600.00

OYSTER REVENUE COLLECTOR

For the salary of Oyster Revenue Collector	\$960.00
For the salary of Officers and Crew of Watch Boat....	2,640.00
For the contingent expenses of the Office of Oyster Revenue Collector	100.00

STATE REVENUE COLLECTOR

For salary of State Revenue Collector	\$1,800.00
For contingent expenses of State Revenue Collector..	600.00

SPECIAL COLLECTORS OF STATE REVENUE

For salaries of Special Collectors of State Revenue....	\$2,800.00
For contingent funds of Special Collectors of State Revenue	1,200.00

REGISTERS OF WILLS

For salaries	\$800.00
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APPROPRIATIONS

STATE PROPERTY—INSURANCE AND CARE OF

For the salary of janitor of the State House	\$500.00
For the salary of Assistant Janitor of State House....	400.00
For the salary of one night janitor	500.00
For heat, light and repair	7,500.00
For water rent, State House and Armory	112.50
For fire insurance on all State property for the year 1921	10,000.00

LABOR COMMISSION OF DELAWARE

For the contingent expenses of the Labor Commission of Delaware	\$3,000.00
For the salary of Child Labor Inspector	1,800.00
For the salary of the Ten-Hour Inspector	1,000.00

CANNERY INSPECTOR

For the salary of Cannery Inspector	\$1,000.00
For the contingent expenses of Cannery Inspector...	500.00
For the expenses of Supervisors of Institutions.....	100.00

AUTOMOBILE INSPECTORS

For salaries of Automobile Inspectors	\$900.00
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BOARD OF STATE SUPPLIES

For printing fund	\$45,000.00
For contingent expenses of Board of State Supplies..	500.00

DEPARTMENT OF JUSTICE

For the salary of the Chancellor	\$7,500.00
For the Chancellor for reporting	200.00
For the salary of Stenographer to the Chancellor....	2,000.00
For the contingent expenses of the Court of Chancery	400.00
For the salary of the Chief Justice	7,500.00

APPROPRIATIONS

For the salaries of the Associate Judges	23,800.00
For the Associate Judge in Kent Co. for reporting ..	200.00
For the salary of the Court Stenographer	2,000.00
For transcripts of Supreme Court and Asst. Stenographers	2,500.00

JUDICIAL REPORTS

For William H. Boyce, for 200 copies of Vol. VIII....	\$2,000.00
For William H. Boyce, for 100 copies of Vol. VII....	1,000.00
For John R. Nicholson, for one volume of his Reports as Chancellor	800.00
For Charles M. Curtis, for Reports	1,000.00

ATTORNEY GENERAL

For the salary of the Attorney General	\$3,600.00
For the salary of the Deputy Attorney General for New Castle County	1,500.00
For the salary of the Deputy Attorney General for Kent County	1,000.00
For the salary of the Deputy Attorney General for Sussex County	1,000.00
For the salary of Chief Deputy Attorney General	1,500.00
For the contingent expenses for Attorney General....	7,500.00
For the salaries of State Detectives	5,600.00
For the Actual Expenses in serving Requisition Papers	1,000.00

EDUCATION

For the interest on bonds of the School Fund	\$10,727.10
For the Americanization of Foreign Residents	25,000.00
For the Child Welfare Commission	25,000.00
For the Child Welfare Commission for the State of Delaware an additional sum of Thirty-five Thousand Dollars	35,000.00

STATE SCHOOL TAX DEPARTMENT

For salary of State School Tax Commissioner	\$4,000.00
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APPROPRIATIONS

For salary of Personal Income Tax Deputy	3,000.00
For salary of Corporation Tax Deputy	3,000.00
For Assistants and Field Agents for the State School Tax Commissioner	5,000.00
For Clerks and Stenographers for the State School Tax Commissioner	2,500.00
For contingent fund for State Tax Commissioner...	5,000.00
For stationery and printed forms for this Department	5,000.00

DELAWARE COLLEGE

For the interest on certificates of indebtedness to Delaware College	\$4,980.00
For the Trustees of Delaware College (United States Government Appropriation)	40,000.00
For the Trustees of Delaware College (Chair of History)	2,500.00
For the Trustees of Delaware College for the Maintenance of the Summer School for Teachers	4,500.00
For the Trustees of Delaware College for the main- tenance of said College	83,500.00
For the Trustees of Delaware College for the main- tenance of the Women's Affiliated College	53,000.00
For the Trustees of Delaware College for the main- tenance of the Agriculture Department and the State Experiment Farm	20,000.00
For the Trustees of Delaware College for paying expenses incurred in the maintenance of Delaware College, the Women's College and the Agricul- tural Department	91,475.54
For the Trustees of Delaware College to secure appropriation under Act of Congress known as Smith-Lever Act	7,203.60
For the Trustees of Delaware College to secure appropriation provided in Act of Congress suppl- emental to Smith-Lever Act, when and if passed	3,001.50
For the Trustees of Delaware College for the main- tenance of Farmers' short course	1,000.00

APPROPRIATIONS

STATE COLLEGE FOR COLORED STUDENTS

For the Trustees of the State College for colored students (U. S. Government Appropriation)	\$10,000.00
For the Trustees of the State School for Colored students for the improvement of building and grounds	15,000.00
For the Trustees of the State College for Colored students for summer schools	500.00
For board for colored teachers for summer schools..	500.00

STATE REFORMATORY SCHOOLS

For Ferris Industrial School of Delaware, operation.	\$25,000.00
For Ferris Industrial School of Delaware, Repairs and Replacement	6,000.00
For the Industrial School for colored girls of Delaware	1,500.00
For the Delaware Industrial School for Girls.....	6,000.00
For the Delaware Industrial School for Girls an additional sum of Four Thousand Dollars	4,000.00

LIBRARIES

For the Chairman of the Committee on Traveling Libraries of the State Federation of Women's Clubs for establishing libraries	\$100.00
For Free Libraries in School Districts	600.00

CHARITIES AND ELEEMOSYNARY INSTITUTIONS

For the Board and Tuition of indigent, deaf, dumb, blind and idiotic children	\$15,000.00
For St. Michael's Day Nursery and Hospital for Babies	5,000.00
For the Society for the Prevention of Cruelty to Children	900.00
For the Delaware Commission for the Blind.....	10,000.00
For the Delaware Commission for the Blind, apprentices	1,000.00
For the burial of indigent soldiers, sailors and marines	700.00

APPROPRIATIONS

For the proper observance of Memorial Day	1,000.00
For the Old Folks' Home at Dover	2,500.00
For the Soldiers' Rest Room at Delaware City....	200.00
For Home for Feeble Minded at Stockley	25,000.00
For the Mothers' Pension Fund	30,000.00
For the State Board of Charities, Dependent Children Act	2,000.00
For the Layton Home for Aged Colored People	1,000.00
For the State Board of Charities, Annual Appropria- tion	5,000.00
For Delaware State Hospital at Farnhurst, for Gen- eral Maintenance	190,067.74
For Delaware State Hospital at Farnhrst, Amusement Fund	600.00
For Delaware State Hospital at Farnhurst, Improve- ment and Repairs	331,485.00

HISTORICAL RECORDS

For the expenses of the Public Archives Commission	2,000.00
For the Historical Society of Delaware	300.00
For Purchase of State Papers	500.00

PUBLIC HIGHWAYS

For the Improvement of the Public Highways in the three Counties	\$30,000.00
For the salary of the State Highway Commission of New Castle County	1,000.00
For the State Highway Commission, Condemnation proceedings	15,000.00

PUBLIC HEALTH

For the expenses of the State Board of Health.....	6,000.00
For the expenses of the Board of Vital Statistics....	2,000.00
For the Pathological and Bacteriological Laboratory..	10,000.00
For the purchase and distribution of Diphtheria Anti- Toxin and for immunizing purposes	5,000.00

APPROPRIATIONS

For the State Tuberculosis Commission, to defray the expenses thereof	20,000.00
For the State Tuberculosis Commission to provide for the care of colored consumptives	10,000.00
For the State Tuberculosis Commission, extra annual appropriation	25,000.00
For the Medical Council of Delaware	300.00
For the State Board of Pharmacy	250.00
For the State Board of Dental Examiners	300.00
For the State Board of Health to provide Nurse to supervise midwives	2,000.00
For reporting diseases dangerous to public health..	2,500.00

AGRICULTURE

For State Board of Agriculture	\$10,000.00
For Peninsula Horticultural Society	1,000.00
For analyzing Fertilizers and Feeds	10,000.00
For controlling Diseases of Livestock	5,000.00
For Poultry Diseases—Special	1,000.00
For Encouraging Poultry Breeding	300.00
For Tuberculosis Eradication	50,000.00
For Hog Cholera Serum and Virus	3,000.00
For Agricultural Demonstrations	3,000.00
For Farmers' Institutes	1,000.00
For Bureau of Markets	4,000.00
For Corn Shows and Premiums	400.00

PUBLIC DEFENSE

NATIONAL GUARD

For Salary of Adjutant General	\$1,600.00
For Clerk Hire, Adjutant General's Office	3,000.00
For appropriations to companies, band and headquarters	6,600.00
For Clothing, Allowance, Officers	1,000.00
For wages of Janitor and Watchman, Light and Heat, telephone and telegraph, postage, printing and	

APPROPRIATIONS

publication, armory supplies, officers' bond and insurance, repairs and maintenance of armories, and traveling expenses of officers	6,130.00
For State Rifle Range; Wages of Caretaker and laborer, insurance, repairs and maintenance	2,270.00
For emergency fund, to be expended only in case of emergencies, upon warrant of the Governor and the State Military Board	3,000.00
For shelter for material supplied the State by the United States Government, subject to a credit of \$8,000.00 in the hands of the Adjutant General from the appropriation of 1920	15,000.00
For so much as may be used in 1921 of the appropriation of \$5,000 for collection, publication and preservation of records, history and statistics; preservation of colors, standards and battle flags and relics of Delaware troops in wars in which the State participated, not to exceed	5,000.00
For hire of two clerks to January 1, 1922, to assist the families of deceased service men and former service men or their dependents in adjusting claims with the Government	2,400.00
For so much as may be used in 1921 of the appropriation for collection of photographs of deceased soldiers of Delaware killed in action, died of wounds or lost life in performance of duty while serving in the Military or Naval forces during the War with Germany, not to exceed	500.00
For expense of conducting military and naval funerals of deceased service men from Delaware brought from overseas, \$125.00 per funeral	

INTEREST ON BONDED INDEBTEDNESS

For the interest on the issue of 1907, Farmers' Bank, Dover	\$9,200.00
For the interest on the issue of 1907, Farmers' Bank, Wilmington	1,600.00
For the interest on the issue of 1907, Farmers' Bank,	

APPROPRIATIONS

Wilmington	800.00
For the interest on the issue of 1897, Philadelphia National Bank	7,350.00
For Farnhurst, interest on bonds	2,200.00
For Women's Affiliated College, interest on Bonds....	4,600.00

ELECTIONS

For the Department of Elections of the City of Wil- mington	7,800.00
For Registrars and Assistant Registrars	30,000.00

MISCELLANEOUS

For the payment for Portraits of Prominent Dela- wareans	500.00
For the Portraits of Governors of Delaware	350.00
For the Compensation of Assessors	800.00
For the Delaware State Fair	10,000.00
For the Kent and Sussex County Fair	5,000.00
For the Conference of Governors	350.00
For the Robbins Hose Company	250.00
For Aetna Hose, Hook & Ladder Company	500.00
For the Redemption of State Bonds	5,000.00
For the Appropriation to meet appropriation of the Smith-Hughes Vocation Fund	23,000.00
For premiums on Bonds of Officers to be paid by the State	600.00
For the Indian River Commission	10,000.00
For the Appropriation for Murderkill River Bridge..	25,000.00
For the Appropriation under S. B. No. 47—Newark Armory	1,468.56
For New Castle State Armory, for heat, light and plumbing	5,500.00
For the Commission for building jetties and groins at Rehoboth Beach	35,000.00
For the State Highway Department, annual appropria- tion	150,000.00
For Indian River Inlet Commission, expenses.....	300.00

APPROPRIATIONS

For New Castle Fire Company	500.00
For the commission created under House Bill No. 129, to have painted a picture covering a period of the War of the Rebellion, Seven Thousand Five Hun- dred Dollars	7,500.00
For State Department of Education from Jan. 1st, to June 30th, 1921	11,500.00
For Payment of Salaries of County Superintendents, County Supervisors and Attendance Officers for said period	10,150.00

Section 2. If the estimated revenues of the State of Delaware shall prove to be insufficient for the payment of the several appropriations provided for herein, to provide for casual deficiencies of revenue for said fiscal year, and in order that the appropriations hereinabove enumerated may be promptly paid, the State Treasurer is hereby authorized to issue notes or certificates of indebtedness of the State of Delaware to such an amount as he shall, by and with the consent of the Governor and the Secretary of State, deem necessary to meet and to pay any of said appropriations, or any part of any of said appropriations, as to which the revenues of the State of Delaware for the fiscal year aforesaid may prove to be insufficient, not, however, to exceed the sum of one hundred thousand dollars. The said notes or certificates of indebtedness shall be in such denominations, and have such form as the Governor, the Secretary of State, and the State Treasurer may determine, and shall be payable at any period not exceeding one year from the date of the issuance thereof out of any moneys in the treasury of the State not otherwise appropriated. The said notes or certificates of indebtedness shall be numbered consecutively, and shall be dated the fifteenth day of November, 1921. The principal of said notes or certificates of indebtedness shall be payable at the Farmers' Bank, at Dover, on the date of their maturity upon presentation thereat and surrender thereof.

The said notes or certificates of indebtedness shall be signed by the Governor, the Secretary of State, and the State Treas-

APPROPRIATIONS

urer, for and on behalf of the State, and shall have the great seal of the State of Delaware impressed thereon or affixed thereto.

Section 3. The Governor, the State Treasurer and the Secretary of State shall constitute a Commission to negotiate and arrange for the sale or disposition of said notes or certificates of indebtedness.

Section 4. That all moneys received by the State Treasurer from the sale of the said notes or certificates of indebtedness by this Act authorized to be issued, shall be and they are hereby specially pledged and appropriated to and for the payment of the several appropriations, or any part or portion thereof hereinabove enumerated and set forth, as to which the revenues of the State for the said fiscal year may prove to be insufficient; provided, however, if, for the payment of said appropriations it shall be necessary to sell said notes or certificates of indebtedness, or any of them, and there shall remain a balance in the hands of the State Treasurer derived from said sale of said notes or certificates of indebtedness, after the said appropriations shall have been paid, then such balance is hereby appropriated and the State Treasurer is hereby authorized and directed to pay such balance into the sinking fund of the State of Delaware.

Section 5. That the public faith of the State of Delaware is hereby pledged for the full and complete payment of the principal and interest of the notes or certificates of indebtedness authorized by this Act, and said notes or certificates of indebtedness shall be, and the same are exempted from taxation for any purposes by this State.

Section 6. That all expenses incident to the advertising, preparation, the issuing and delivering of said notes or certificates of indebtedness shall be allowed to the said State Treasurer, and shall be paid by him out of any money in the treasury of the State not otherwise appropriated upon the production

APPROPRIATIONS

and exhibition by the said State Treasurer of the necessary vouchers thereof as by law required with reference to other disbursements of the public fund.

Approved April 28, A. D. 1921.

CHAPTER 11

STATE REVENUE

APPROPRIATIONS

AN ACT making appropriations for the expenses of the State Government, other than legislative expenses, for the fiscal year ending on Monday immediately preceding the second Tuesday in January, in the year of our Lord One Thousand Nine Hundred and Twenty-three, and authorizing the borrowing of money to supply casual deficiencies of revenue for said fiscal year, and the issuance of notes or certificates of indebtedness to secure the payment thereof.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the several amounts named in this Act, or so much thereof as may be necessary, are hereby appropriated and authorized to be paid out of the Treasury of this State to the respective public officers of the respective departments and divisions of Government, and for the several purposes hereinafter specified, for the current fiscal year ending on Monday immediately preceding the second Tuesday of January in the year of our Lord one thousand nine hundred and twenty-three; provided, however, that all parts or portions of the several sums appropriated by this Act which, on said Monday immediately preceding said second Tuesday of January, A. D. One Thousand Nine Hundred and Twenty-three, shall not have been paid out of the Treasury, shall be returned to the general fund of the treasury. The said several sums hereby appropriated are as follows, viz:

EXECUTIVE DEPARTMENT

GOVERNOR

For the Governor for salary	\$4,000.00
For the contingent expenses of the Governor's office..	3,500.00

APPROPRIATIONS

LIEUTENANT GOVERNOR

For the Lieutenant Governor for salary as member of Board of Pardons	100.00
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DEPARTMENT OF THE SECRETARY OF STATE

For the Secretary of State for salary	\$4,000.00
For the salary of Chief Clerk	2,000.00
For salary of Clerks for Office of Secretary of State	3,000.00
For contingent expenses of the office of Secretary of State	25,000.00
For official bond of the Secretary of State	375.00

TREASURY DEPARTMENT

For salary of State Treasurer	3,500.00
For Salary of Deputy State Treasurer	1,800.00
For contingent expenses of the office of State Treasurer	1,200.00

AUDITOR OF ACCOUNTS

For Salary of Auditor of Accounts	3,600.00
For Salary of the Deputy Auditor of Accounts	1,800.00
For contingent expenses of the office of Auditor of Accounts	700.00
For contingent expenses under Sec. 22 of Senate Bill #122	10,000.00

DEPARTMENT OF INSURANCE AND BANKING

For salary of the Insurance Commissioner	\$3,500.00
For salary of Clerk of the Insurance Commissioner..	1,000.00
For contingent expenses of Department of Insurance and Banking	1,500.00

STATE LIBRARY

For the salary of State Librarian	\$1,500.00
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APPROPRIATIONS

For contingent expenses of State Librarian	850.00
For purchase of new books	500.00

STATE LIBRARY COMMISSION

For the Appropriation for regular expenses	\$5,000.00
For contingent expenses State Library Commission..	200.00

GAME AND FISH COMMISSION

For the salary Chief Game & Fish Warden	\$600.00
For enforcing uniform Fish Law	200.00
For propagation of fish and game	600.00

OYSTER REVENUE COLLECTOR

For the salary of Oyster Revenue Collector	\$960.00
For the salary of Officers and Crew of Watch Boat..	2,640.00
For the contingent expenses of the Office of Oyster Revenue Collector	100.00

STATE REVENUE COLLECTOR

For salary of State Revenue Collector	\$1,800.00
For contingent expenses of State Revenue Collector ..	600.00

SPECIAL COLLECTOR OF STATE REVENUE

For salaries of Special Collectors of State Revenue....	\$2,800.00
For contingent funds of Special Collectors of State Revenue	1,200.00

REGISTERS OF WILLS

For salaries	\$800.00
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STATE PROPERTY—INSURANCE AND CARE OF

For the salary of janitor of the State House	\$500.00
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APPROPRIATIONS

For the salary of Assistant Janitor of State House ..	400.00
For the salary of one night janitor	500.00
For heat, light and repair	7,500.00
For water rent, State House and Armory	112.50
For fire insurance on all State property for the year 1921	10,000.00

LABOR COMMISSION OF DELAWARE

For the contingent expenses of the Labor Commission of Delaware	\$3,000.00
For the salary of Child Labor Inspector	1,800.00
For the salary of the Ten-Hour Inspector	1,000.00

CANNERY INSPECTOR

For the salary of Cannery Inspector	\$1,000.00
For the contingent expenses of Cannery Inspector	500.00
For the expenses of Supervisors of Institutions....	100.00

AUTOMOBILE INSPECTORS

For salaries of Automobile Inspectors	\$900.00
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BOARD OF STATE SUPPLIES

For printing fund	\$45,000.00
For contingent expenses of Board of State Supplies	500.00

DEPARTMENT OF JUSTICE

For the salary of the Chancellor	\$7,500.00
For the Chancellor for reporting	200.00
For the salary of Stenographer to the Chancellor..	2,000.00
For the contingent expenses of the Court of Chancery	400.00
For the salary of the Chief Justice	7,500.00
For the salaries of the Associate Judges	28,800.00
For the Associate Judge in Kent County for reporting	200.00

APPROPRIATIONS

For the salary of the Court Stenographer	2,000.00
For transcripts of Supreme Court and Asst. Stenographers	2,500.00

JUDICIAL REPORTS

For William H. Boyce, for 200 copies of Reports ..	\$2,000.00
For Charles M. Curtis, for Reports	1,000.00

ATTORNEY GENERAL

For the salary of the Attorney General	\$3,600.00
For the salary of the Deputy Attorney General for New Castle County	1,500.00
For the salary of the Deputy Attorney General for Kent County	1,000.00
For the salary of the Deputy Attorney General for Sussex County	1,000.00
For the salary of Chief Deputy Attorney General	1,500.00
For the contingent expenses for Attorney General..	7,500.00
For salaries of State Detectives	5,600.00
For the Actual Expenses in serving Requisition Papers	1,000.00

EDUCATION

For the interest on bonds of the School Fund	\$10,727.10
For the Americanization of Foreign Residents	25,000.00
For the Child Welfare Commission	25,000.00
For the Child Welfare Commission for the State of Delaware an additional sum of Thirty-five Thousand Dollars (\$35,000)	35,000.00

STATE SCHOOL TAX DEPARTMENT

For Salary of State School Tax Commissioner	4,000.00
For salary of Personal Income Tax Deputy	3,000.00
For Salary of Corporation Tax Deputy	3,000.00
For Assistants and Field Agents for the State School Tax Commissioner	5,000.00

APPROPRIATIONS

For Clerks and Stenographers for the State School	
Tax Commissioner	2,500.00
For contingent fund for State Tax Commissioner....	5,000.00
For Stationery and Printed forms for this Department	5,000.00

DELAWARE COLLEGE

For the interest on certificates of indebtedness to Delaware College	\$4,980.00
For the Trustees of Delaware College (United States Government Appropriation)	40,000.00
For the Trustees of Delaware College (Chair of History)	2,500.00
For the Trustees of Delaware College for the maintenance of the Summer School for Teachers....	4,500.00
For the Trustees of Delaware College for the maintenance of the said College	83,500.00
For the Trustees of Delaware College for the maintenance of the Women's Affiliated College..	53,000.00
For the Trustees of Delaware College for the maintenance of the Agriculture Department and the State Experiment Farm	20,000.00
For the Trustees of Delaware College to secure appropriation under Act of Congress known as Smith-Lever Act	8,204.00
For the Trustees of Delaware College to secure appropriation provided in Act of Congress supplemental to Smith-Lever Act, when and if passed	3,001.50
For the Trustees of Delaware College maintenance of Farmers' short course	1,000.00

STATE COLLEGE FOR COLORED STUDENTS

For the Trustees of the State College for colored students (U. S. Government appropriation)	10,000.00
For the Trustees of the State School for colored students for the improvement of building and grounds	15,000.00
For the Trustees of the State College for colored stu-	

APPROPRIATIONS

dents for summer schools	500.00
For board for colored teachers for summer schools..	500.00

STATE REFORMATORY SCHOOLS

For Ferris Industrial School of Delaware, operation..	\$25,000.00
For Ferris Industrial School of Delaware, Repairs and Replacement	3,000.00
For the Industrial School for colored girls of Delaware	1,500.00
For the Delaware Industrial School for Girls	6,000.00
For the Delaware Industrial School for Girls an addi- tional sum of Four Thousand Dollars	4,000.00

LIBRARIES

For the Chairman of the Committee on Traveling Li- braries of the State Federation of Women's Clubs for establishing libraries	100.00
For Free Libraries in School Districts	600.00

CHARITIES AND ELEEMOSYNARY INSTITUTIONS

For the Board and Tuition of indigent, deaf, dumb, blind and idiotic children	15,000.00
For St. Michael's Day Nursery and Hospital for Babies	5,000.00
For the Society for the Prevention of Cruelty to Chil- dren	900.00
For the Delaware Commission for the Blind	10,000.00
For the Delaware Commission for the Blind, appren- tices	1,000.00
For the burial of indigent soldiers, sailors and marines	700.00
For the proper observance of Memorial Day	1,000.00
For the Old Folks' Home at Dover	2,500.00
For the Soldiers' Rest Room at Delaware City	200.00
For Home for Feeble Minded at Stockley	20,000.00
For the Mothers' Pension Fund	30,000.00
For the State Board of Charities, Dependent Children Act	2,000.00
For the Layton Home for Aged Colored People.....	1,000.00

APPROPRIATIONS

For the State Board of Charities, annual appropriation	5,000.00
For Delaware State Hospital at Farnhurst, for General Maintenance	\$190,067.74
For Delaware State Hospital at Farnhurst, Amusement Fund	600.00

HISTORICAL RECORDS

For the expenses of the Public Archives Commission..	\$2,000.00
For the Historical Society of Delaware	300.00
For Purchase of State Papers	500.00

PUBLIC HIGHWAYS

For the Improvement of the Public Highways in the three Counties	\$30,000.00
For the Salary of the State Highway Commission of New Castle County	1,000.00
For the State Highway Commission, condemnation proceedings	15,000.00

PUBLIC HEALTH

For the expenses of the State Board of Health.....	\$6,000.00
For the expenses of the Board of Vital Statistics	2,000.00
For the Pathological and Bacteriological Laboratory.	10,000.00
For the purchase and distribution of Diphtheria Anti-Toxin and for immunizing purposes	5,000.00
For the State Tuberculosis Commission, to defray the expenses thereof	20,000.00
For the State Tuberculosis Commission to provide for the care of colored consumptives	10,000.00
For the State Tuberculosis Commission, extra annual appropriation	25,000.00
For the Medical Council of Delaware	300.00
For the State Board of Pharmacy	250.00
For the State Board of Dental Examiners	300.00
For the State Board of Health to provide Nurse to supervise midwives	2,000.00

APPROPRIATIONS

For reporting diseases dangerous to public health . . . \$2,500.00

AGRICULTURE

For State Board of Agriculture	\$10,000.00
For Peninsula Horticultural Society	1,000.00
For Analyzing Fertilizers and Feeds	10,000.00
For Controlling Diseases of Live Stock	5,000.00
For Poultry Diseases—Special	1,000.00
For Encouraging Poultry Breeding	300.00
For Tuberculosis Eradication	50,000.00
For Farmers' Institutes	1,000.00
For Bureau of Markets	4,000.00
Corn Shows and Premiums	400.00

PUBLIC DEFENSE

NATIONAL GUARD

For salary of Adjutant General	\$1,600.00
For Clerk Hire, Adjutant General's Office	3,000.00
For Appropriations to Companies, Band and Headquarters	6,600.00
For Clothing Allowance, Officers	1,000.00
For Wages of Janitor and Watchman, Light and heat, Telephone and Telegraph, Postage, Printing and Publication, Armory Supplies, Officers' Bond and Insurance, Repairs and Maintenance of Armories, and Traveling Expenses of Officers	6,130.00
For State Rifle Range; Wages of Caretaker and laborer, insurance, repairs and maintenance	2,270.00
For Emergency Fund: To be expended only in case of emergencies, upon warrant of the Governor and the State Military Board	3,000.00
For so much as may be used of the balance remaining January 1, 1922, of the appropriation for the collection, publication and preservation of records, history and statistics; preservation of colors, standards and battle flags and relics of Delaware	

APPROPRIATIONS

troops in wars in which the State participated not to exceed the aggregate for the two years, of	5,000.00
For so much as may be used in 1922 of the balance remaining from 1921 of the appropriation for collection of photographs of deceased soldiers of Delaware killed in action, died of wounds or lost life in performance of duty while serving in the Military or Naval forces during the war with Germany not to exceed the aggregate, for the two years, of	500.00
For expense of conducting Military and Naval Funerals of deceased service men from Delaware brought from overseas, \$125.00 per funeral	

INTEREST ON BONDED INDEBTEDNESS

For the interest on the issue of 1907, Farmers' Bank, Dover	9,200.00
For the interest on the issue of 1907, Farmers' Bank, Wilmington	1,600.00
For the interest on the issue of 1907, Farmers' Bank, Wilmington	800.00
For the interest on the issue of 1897, Philadelphia National Bank	7,350.00
For Farnhurst, interest on bonds	2,200.00
For Women's Affiliated College, interest on bond....	4,600.00

ELECTIONS

For the Department of Elections of the City of Wilmington	7,800.00
For Registrars and Assistant Registrars	30,000.00

MISCELLANEOUS

For the payment for portraits of Prominent Delawareans	\$500.00
For the Portraits of Governors of Delaware	350.00
For Compensation of Assessors	800.00

APPROPRIATIONS

For the Delaware State Fair	10,000.00
For the Kent and Sussex County Fair	5,000.00
For the Conference of Governors	350.00
For the Robbins Hose Company	250.00
For the redemption of State Bonds	10,000.00
For the appropriation to meet appropriation of the Smith-Hughes Vocation Fund	23,000.00
For premiums on bonds of officers to be paid by the State	600.00
For the State Highway Department, annual appropriation	150,000.00

Section 2. If the estimated revenues of the State of Delaware shall prove to be insufficient for the payment of the several appropriations provided for herein, to provide for casual deficiencies of revenue for said fiscal year, and in order that the appropriations hereinabove enumerated may be promptly paid, the State Treasurer is hereby authorized to issue notes or certificates of indebtedness of the State of Delaware to such an amount as he shall, by and with the consent of the Governor and the Secretary of State, deem necessary to meet and to pay any of said appropriations, or any part of any of said appropriations, as to which the revenues of the State of Delaware for the fiscal year aforesaid may prove to be insufficient, not, however, to exceed the sum of one hundred thousand dollars. The said notes or certificates of indebtedness shall be in such denominations, and have such form as the Governor, the Secretary of State, and the State Treasurer may determine, and shall be payable at any period not exceeding one year from the date of the issuance thereof out of any moneys in the Treasury of the State not otherwise appropriated. The said notes or certificates of indebtedness shall be numbered consecutively, and shall be dated the fifteenth day of November, 1922. The principal of said notes or certificates of indebtedness shall be payable at the Farmers' Bank, at Dover, on the date of their maturity upon presentation thereat and surrender thereof.

The said notes or certificates of indebtedness shall be signed by the Governor, the Secretary of State, and the State Treas-

APPROPRIATIONS

urer, for and on behalf of the State, and shall have the great seal of the State of Delaware impressed thereon or affixed thereto.

Section 3. The Governor, the State Treasurer and the Secretary of State shall constitute a Commission to negotiate and arrange for the sale or disposition of said notes or certificates of indebtedness.

Section 4. That all moneys received by the State Treasurer from the sale of the said notes or certificates of indebtedness by this Act authorized to be issued, shall be and they are hereby specially pledged and appropriated to and for the payment of the several appropriations, or any part or portion thereof hereinabove enumerated and set forth, as to which the revenues of the State for the said fiscal year may prove to be insufficient; provided, however, if, for the payment of said appropriations it shall be necessary to sell said notes or certificates of indebtedness, or any of them, and there shall remain a balance in the hands of the State Treasurer derived from said sale of said notes or certificates of indebtedness, after the said appropriations shall have been paid, then such balance is hereby appropriated and the State Treasurer is hereby authorized and directed to pay such balance into the sinking fund of the State of Delaware.

Section 5. That the public faith of the State of Delaware is hereby pledged for the full and complete payment of the principal and interest of the notes or certificates of indebtedness authorized by this Act, and said notes or certificates of indebtedness shall be, and the same are exempted from taxation for any purposes by this State.

Section 6. That all expenses incident to the advertising, preparation, the issuing and delivering of said notes or certificates of indebtedness shall be allowed to the said State Treasurer, and shall be paid by him out of any money in the treasury of the State not otherwise appropriated, upon the production and

APPROPRIATIONS

exhibition by the said State Treasurer of the necessary vouchers thereof as by law required with reference to other disbursements of the public fund.

Approved April 28, A. D. 1921.

CHAPTER 12

STATE REVENUE

APPROPRIATIONS

CLAIMS

AN ACT appropriating certain money out of the State Treasury of the State of Delaware to pay certain claims against the State.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That the several sums of money hereinafter named are hereby appropriated out of the Treasury of this State for the purpose of paying the claims hereinafter mentioned, and the State Treasurer is hereby authorized and directed to pay the same as follows:

James W. Wise	\$4,815.90
James R. Hunter	339.00
Alfred Raikes	183.65
Alice B. Kingsbury	20.00
Margaret H. Camac	20.00
Catherine McCaffrey	20.00
Helen E. Beckwith	20.00
Paige B. Catchings	20.00
Olive R. Buell	20.00
H. J. Marshall	75.00
Robert Smith	75.00
Aaron Paskins	75.00
Agnes G. Willey	150.00
Charles Zanders	15.25
Thomas Day	400.00
Alfred Neill	296.00
William Wickes	10.00
Dover Machine Works	206.57

CLAIMS

J. E. Beck Company	35.00
Charles M. Smith Company	77.30
G. Austin Merritt	84.60
H. S. Ledenham	150.00
George T. Derrickson	22.50
William Barnett	15.00
Charles Tingle	15.00
Erasmus Matthews	22.50
Rolly C. Murray	15.00
Charles J. Baker	15.00
Harold S. Creamer	116.00
Alfred Raikes	120.00
Charles Murray	3.00
J. Danforth Bush, Wilmington	267.84
James W. Robertson, Wilmington	299.36
William J. Lutz, Wilmington	279.36
J. G. Highfield, Jr., Wilmington	390.24
John M. Walker, Hockessin	362.00
John F. Richards, Newark	378.40
James McIntire, Elkton, Md.	384.32
John E. Latta, Townsend	108.00
L. M. Price, Smyrna	72.00
Charles Hopkins, Dover	70.64
James F. Allee, Jr., Dover	18.36
Charles D. Murphy, Harrington	97.20
Wallace S. Handy, Milford	175.16
I. D. Short, Milford	144.00
Captain George B. Insley, Bethel	279.36
Asa Bennett, Frankford	335.20
Harry Prettyman, Hollyville	298.40
J. Carey Palmer, Milton	310.88
Harry H. Marr, Wilmington	279.36
Robert W. Kramer, Wilmington	332.80
Henry Wilson, Wilmington	299.36
William E. Virden, Wilmington	308.53
Samuel J. White, Wilmington	279.36
Frank C. Miller, Wilmington	382.36
William Lord, Marshallton	293.38
Richard G. Buckingham, Newark	378.72

CLAIMS

Charles L. Medill, Newark	338.40
Edward S. Megginson, New Castle	241.84
William J. Crompton, Porter	155.94
Edward Lester, Jr., St. Georges	192.96
Alexander P. Corbit, Odessa	150.60
Walter Lee, Townsend	105.12
A. Jefferson Staats, Townsend	149.44
John E. Wilson, Smyrna	69.12
William B. Harrington, Cheswold	28.80
Harry B. Clark, Kenton	139.46
Robert J. Schneider, Dover	46.83
Frank Hall Davis, Dover	31.42
Walter J. Paskey, Sr., Harrington	104.86
Willard S. Brown, Magnolia	40.32
Edward Dill, Felton	81.71
P. H. Noble, Harrington	164.24
B. F. Davis, Milford	180.75
Harry B. Clendaniel, Lincoln City	166.63
Charles M. Kinder, Bridgeville	195.84
Samuel S. Gray, Seaford	230.34
John T. Phillips, Bethel	234.46
George H. Otwell, Laurel	254.46
Seth H. Hudson, Dagsboro	302.74
Elmer J. Turner, Frankford	354.48
John D. Warrington, Millsboro	321.96
Hiram S. Smith, Georgetown	257.76
Thomas W. Turner, Lewes, Del.	304.24
J. A. Downes	30.00
The Index	201.50
The Index	52.00
Harrington Journal	1,070.00
Dr. Robert W. Tomlinson	75.00
Dr. T. H. Davies	75.00
T. H. Weisenburg, M. D.	225.00
Earl D. Willey	215.00
George M. Fisher	40.12
Phillip Burnett	10.28
Hotel Richardson (Inauguration)	61.50

CLAIMS

L. H. Gulick	190.05
Kells, Newark	449.40
Kells, Newark	197.20
William Galigna (stamps)	22.75
David Coverdale	75.00
Frank P. Mahoney	133.33
Alice B. Kingsbury	25.00
J. Seward Dailey	550.00
O. T. Cannon	550.00
Charles A. L. Lingo	550.00
George H. Carroll	550.00
Thomas W. Killen	48.00
Marvel O. Watson (Page Court)	24.00
John E. Cook, Sheriff	16.00
Charles W. Graham, Sheriff	8.00
Frank Jackson, Janitor	24.00
George H. Hogue	28.75
J. Norris Robinson	204.00
Star Publishing Company	520.00
Delaware Anti-Tuberculosis Society	749.90
J. Carey Palmer	110.00
I. D. Short	55.00
Charles D. Murphy	40.00
Liberty Bell Council No. 21	10.00
J. C. Porter	10.00
Ira Wright	37.50
James & Roberts	12.25
G. E. Warrington	10.00
M. S. Coulbourn	2.00
Robinson Concert Band	25.00
Frederick D. Bendler	200.00
Harris Samonisky	200.00
J. Hall Anderson	347.30
Julian B. Robinson	51.00
Ward H. Short	52.50
William D. Lank	37.50
Theodore M. Jarvis	37.50
John A. Craston Lumber Company	71.52

CLAIMS

State Board of Charities	166.53
Milford Chronicle Publishing Company	779.00
Milford Chronicle Publishing Company	87.50
A. R. Saylor Printing Company	209.85
Dan M. Cochran	600.00
Mrs. E. B. Herpel	27.54
Frank C. Warner	31.47
Delawarean Publishing Company	15.00
Delaware State News	161.00
Delaware State News	2,960.25
Asa Bennett	266.78
The State Sentinel	5,198.31
The Delaware Republican	51.70
Western Union Telegraph Company	5.25
Postal Telegraph-Cable Company	1.56
Robert G. Houston	1,500.00
James H. Hughes	1,500.00
Wallace S. Handy	60.00
John F. Richards	44.10
J. Carey Palmer	42.12
Diamond State Telephone Company	341.05
Diamond State Telephone Company	250.22
Ellwood Wright	24.06
William Chandler	6.20
Harris Samonisky	4.00
H. S. Rausch	10.06
W. K. Yerger	7.44
C. W. W. Schantz	3.34
Isaac Rissmiller	4.13
H. E. Stahl	7.22
Robert Shilling	5.38
M. E. Stine	8.08
J. F. Parsons	10.94
J. Herbert Owens	9.82
E. J. Hardesty	19.50
Wallace S. Handy	30.00
Walter J. Paskey	30.00

Approved April 1, A. D. 1921.

CHAPTER 13

STATE REVENUE.

APPROPRIATIONS

AN ACT appropriating certain money out of the State Treasury of the State of Delaware to pay certain claims against the State.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the several sums of money hereinafter named are hereby appropriated out of the treasury of the State for the purpose of paying the claims hereinafter mentioned, and the State Treasurer is hereby authorized and directed to pay the same as follows:

Delaware State News for printing 3000 copies of the	
School Law, approved March 31, 1921	\$700.00
Underwood Typewriter Company, repairing typewriter	5.30

Approved May 17, A. D. 1921.

CHAPTER 14.

STATE REVENUE

SCHOOL BUDGET

AN ACT adopting a School Budget for the school year beginning July 1, 1921, and ending June 30, 1922, and for the school year beginning July 1, 1922, and ending June 30, 1923, and relating to the expenditures of the School Fund and all taxes and school moneys raised for the support of Free Public Schools for the said years and making appropriations for the said years.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the following itemized budget shall constitute the Official School Budget for each of the school years beginning July 1, 1921, and July 1, 1922, and ending respectively on June 30, 1922, and on June 30, 1923, and the State Treasurer is hereby directed to pay the warrants of the State Board of Education drawn against the several items thereof to the amounts of and not exceeding same in each of said school years, which said itemized budget is made a part of this Section and is in the words, letters and figures following to-wit:

SCHOOL BUDGET

Section 2. That the item in the said budget directing the expenditure of Fifteen Thousand Dollars in each of said years for the expenses of teachers in Summer School may be used and expended at Delaware College or elsewhere as the State Board of Education shall direct, and shall be paid out on warrants countersigned by the President or Vice-President and Secretary of the State Board of Education.

Section 3. That the item in said budget directing the expenditure of Thirty-five Thousand Dollars for the salaries of Superintendents shall be expended in the payment of salaries of Superintendents in Special School Districts and in the City of Wilmington.

Section 4. That the item in the said budget directing the expenditure of One Hundred and Fifty Thousand Dollars for upkeep of grounds, repairs of buildings, repairs and replacement of equipment and apparatus and for other maintenance shall be distributed by the State Board of Education to and among the various districts in the State and shall be paid upon warrants drawn by the President or Vice-President and Secretary of the State Board of Education.

Section 5. That the tax levied in the several Counties on real and personal property under Section 59 of the Act entitled "An Act to provide for the establishment and maintenance of a general and efficient system of Free Public Schools," approved March 31, 1921, shall in each of said years be paid from time to time as collected to the State Treasurer to be and constitute a part of the school fund for the said years, and the County Treasurer and Receiver of Taxes of each of the Counties shall make monthly settlements with the State Treasurer in each of said years of the taxes collected under said Section.

Section 6. That the several items of the School Budget adopted in Section 1 of this Act shall be paid in each of said school years out of the tax on real and personal estate levied under Section 59 of an Act entitled "An Act to provide for the establishment and maintenance of a general and efficient system of Free Public Schools," approved March 31, 1921, and the income from

T
22-23

	Wilmington	Milford
I.	35	2,000
	15	945
II	50	75
II		

34	6,093
93	9,394
00	2,550

IV	
77	1,161
69	984

V

50	250
33	23,452

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Wilmington, the

SCHOOL BUDGET

the State School Fund and the income from tax on personal incomes and on corporations and fees received from the operation of the said income tax and Corporation Tax Laws and corporation franchise taxes.

Section 7. That there is hereby appropriated the sum of Two Million Two Hundred Thousand Dollars for the School Budget adopted by Section 1 of this Act for each of the school years beginning July 1, 1921, and July 1, 1922, and ending respectively on June 30, 1922, and on June 30, 1923, and the amount hereby appropriated for each of said school years shall be paid by the State Treasurer out of the tax on real and personal property and the income from the State School Fund and the income from the tax on personal incomes and on corporations and fees received from the operation of said income tax and Corporation Tax Laws and corporation franchise taxes enumerated in Section 6 of this Act, provided that if the revenue derived from the said sources shall at any time be insufficient to supply the funds appropriated by this Act then the deficiency or deficiencies shall be made up from time to time out of the general fund by way of advances, and all amounts so advanced out of the general fund shall be repaid to the general fund from time to time during the said school years as money shall be available for this purpose from the several items of school taxes and school income enumerated in Section 6 of this Act.

Approved May 17, A. D. 1921.

CHAPTER 15.

STATE REVENUE

KENT AND SUSSEX COUNTY FAIR

AN ACT authorizing Kent and Sussex County Fair, Incorporated, to expend certain moneys appropriated to it by the State for erecting a building, to be known as "A State Exhibition Building," and relating to expenditures for prizes.

WHEREAS, the General Assembly by an Act entitled, "An Act Appropriating Certain Moneys to Kent and Sussex County Fair, Incorporated, to be Expended for Prizes for the Encouragement of Agriculture and Domestic Arts," being Chapter 7, Volume 31, Laws of Delaware, appropriated Five Thousand Dollars annually to said Kent and Sussex County Fair, Incorporated, a corporation of the State of Delaware, to be expended for prizes for the encouragement of agriculture and the domestic arts; and

WHEREAS, said corporation has received, under the provisions of said Act, the first of said annual appropriations of Five Thousand Dollars; and

WHEREAS, said corporation has expended out of said first appropriation, for prizes according to the tenor of said Act, the sum of Seven Hundred and Thirty-five Dollars, leaving in its hands now unexpended the sum of Four Thousand, Two Hundred and Sixty-five Dollars, as will appear by reference to its sworn itemized statement filed with the State Auditor on the first day of December, A. D. 1920, in accordance with the provisions of said Act; and

WHEREAS, it is necessary to erect additional buildings in which agricultural products, poultry, live stock, domestic art and manual training exhibits may be properly housed and displayed; and

WHEREAS, it is also desirable and proper that prizes be offered not only for meritorious achievements in agriculture and

KENT AND SUSSEX COUNTY FAIR

the domestic arts, but also in poultry and live stock raising and in manual training work. Now, therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (three-fourths of all the members elected to each House concurring therein) :

Section 1. That the said Kent and Sussex County Fair, Incorporated, be and it is hereby authorized and empowered to use the full unexpended balance now in its hands of the said appropriation for the year 1920, under Chapter 7, of Volume 31, Laws of Delaware, being the sum of Four Thousand, Two Hundred and Sixty-five Dollars, and the further sum of Two Thousand Dollars from its appropriation for the year 1921, under said Act, for the purpose of erecting on its fair grounds near the town of Harrington, Kent County, Delaware, a suitable building for the purpose of housing and displaying exhibits of agricultural products, live stock, poultry, and exhibits of manual training and the domestic arts; which said building shall belong to the State, and shall be known as, "The State Exhibit Building"; and that on or before the first day of December, A. D. 1921, the President and Treasurer of said corporation shall file with the State Auditor a sworn, itemized statement of the expenditures under this Section; and that of the annual appropriation made to the said corporation by Chapter 7, of Volume 31, Laws of Delaware, the amount to be expended for prizes in the year 1921 shall be not exceeding the remaining sum of Three Thousand Dollars.

Section 2. That the moneys appropriated by Chapter 7, of Volume 31, Laws of Delaware, for the said corporation, may hereafter, except as provided in Section 1 of this Act, be used for prizes for agricultural products, live stock, poultry, exhibits of manual training, and the domestic arts.

Approved March 28, A. D. 1921.

CHAPTER 16

STATE REVENUE

STATE ARMORY AT NEWARK

AN ACT to appropriate moneys to discharge the unpaid bills for material and labor incurred in the repair of the State Armory at Newark.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the sum of One Thousand Four Hundred Sixty-eight Dollars and Fifty-six cents be and the same is hereby appropriated to pay the remaining unpaid bills for material and labor incurred in the repairs of the State Armory at Newark, the same to be paid by the State Treasurer upon warrants to be drawn by the Armory Commission for the State of Delaware.

Approved April 9, A. D. 1921.

CHAPTER 17

STATE REVENUE

STATE ARMORY AT NEW CASTLE

AN ACT to appropriate Five Thousand Five Hundred Dollars (\$5,500.00) for heating and furnishing the State Armory at New Castle.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the sum of Five Thousand Five Hundred Dollars (\$5,500.00) or so much thereof as may be needed, be and the same is hereby appropriated out of the State Treasury to be paid by the State Treasurer upon warrants drawn by the State Military Board, to be used for installing a heating system and furnishing the State Armory in the City of New Castle.

Approved April 7, A. D. 1921.

CHAPTER 18

STATE REVENUE

GOOD WILL FIRE COMPANY

AN ACT appropriating Five Hundred Dollars to the Good Will Fire Company, of New Castle, Delaware.

WHEREAS, The Good Will Fire Company, of New Castle, Delaware, is an organization of firemen supported by voluntary contributions of money and services, and has recently acquired a modern auto fire engine and also a modern auto chemical apparatus;

AND WHEREAS, The said Good Will Fire Company furnishes, and has furnished for some time past, fire protection for the State Armory, located in the City of New Castle, Delaware, and the buildings of the Delaware State Hospital for Insane, located near New Castle, Delaware;

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members of each branch concurring therein) :

Section 1. That the sum of Five Hundred Dollars is hereby appropriated and authorized to be paid out of the Treasury of this State to the Good Will Fire Company, of New Castle, Delaware, for the purpose of maintaining its fire apparatus.

Approved April 4, A. D. 1921.

CHAPTER 19

STATE REVENUE

AETNA HOSE, HOOK AND LADDER COMPANY

AN ACT appropriating Five Hundred Dollars to Aetna Hose, Hook and Ladder Company, of Newark, Delaware.

WHEREAS, Aetna Hose, Hook and Ladder Company, of Newark, Delaware (a corporation of the State of Delaware), is an organization of Firemen supported by voluntary contributions, and

WHEREAS, no member of said Company received any compensation for services rendered, and

WHEREAS, valuable buildings have recently been erected by the State of Delaware in connection with the Woman's Affiliated College and the State Farm, also a State Armory, at Newark, Delaware; and

WHEREAS, the Buildings of Delaware College are situated in the said Town; and

WHEREAS, the State of Delaware now received and has received for more than twenty-five years past fire protection from the said Company;

Now, therefore,, be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, (three-fourths of all the members of each branch concurring therein) :

Section 1. That the sum of Five Hundred Dollars is hereby appropriated and authorized to be paid out of the Treasury of this State to Aetna Hose, Hook and Ladder Company, of Newark, Delaware, for the purpose of maintaining its fire apparatus.

Approved February 4, A. D. 1921.

CHAPTER 20

STATE REVENUE

ROBBINS HOSE COMPANY

AN ACT appropriating Five Hundred Dollars to the Robbins Hose Company, of Dover, Delaware.

WHEREAS, Robbins Hose Company, of Dover, Delaware (a corporation of the State of Delaware), is an organization of Firemen supported by voluntary contributions, and

WHEREAS, no member of said company receives any compensation for services rendered, and

WHEREAS, valuable buildings are erected in Dover, including the State House, State Library-Archives and Valuable Volumes, State Armory, etc.; and

WHEREAS, the said Company has recently purchased a valuable, expensive and modern Auto Fire Engine by the individual efforts of its members; and

WHEREAS, the State of Delaware now receives and has received for more than twenty-five years past fire protection from the said Company; therefore

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members of each branch concurring therein):

Section 1. That the sum of Two Hundred and Fifty Dollars in the year 1921 and Two Hundred and Fifty Dollars in the year 1922 is hereby appropriated and authorized to be paid out of the treasury of this State to Robbins Hose Company, of Dover, Delaware, for the purpose of maintaining its fire apparatus.

Approved February 4, A. D. 1921.

CHAPTER 21

STATE REVENUE

CAESAR RODNEY STATUE

AN ACT to appropriate money for the erection of an Equestrian Statue of Caesar Rodney in Wilmington, Delaware.

WHEREAS, the State of Delaware is justly proud of the record of Caesar Rodney, a member of the Continental Congress, a Major-General in the Continental Army, a Signer of the Declaration of Independence, a President of Delaware State during the war for independence, and at all times an active advocate of American rights and liberties and whose most pre-eminent service to his State and Country was his ever memorable ride from his home in Kent County on July third and fourth, 1776, to Independence Hall, in Philadelphia, for the purpose of deciding and casting the vote of Delaware State for the Declaration of Independence;

AND WHEREAS, for the purpose of perpetually commemorating by a suitable monument this act of a Delaware patriot, which was so controlling in the adoption of the Declaration of Independence, an unincorporated Association known as the Caesar Rodney Equestrian Statue Executive Committee has been formed and has contracted for and is now engaged in the construction and erection of an equestrian monument in the City of Wilmington to commemorate the ride of Caesar Rodney from his residence in Kent County, Delaware, to Independence Hall, in Philadelphia, for the purpose of deciding and casting the vote of Delaware in favor of the Declaration of Independence;

AND WHEREAS, the said contract for the erection and completion of said monument is for the sum of Thirty Thousand Dollars, of which said sum there yet remains to be collected by said Association upwards of Twelve thousand dollars; now therefore,

CAESAR RODNEY STATUE

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the sum of ten thousand dollars is hereby appropriated to be paid out of the Treasury of said State upon the requisition and warrant duly signed by the President and Treasurer of the said Caesar Rodney Equestrian Statue Executive Committee and approved by the Governor for the purpose of helping to pay for the erection and completion of the said Equestrian Monument.

Approved March 28, A. D. 1921.

TITLE FOUR

Public Arms and Defense

CHAPTER 22

DELAWARE NATIONAL GUARD

AN ACT to amend Chapter 8 of the Revised Code of Delaware 1915, as Amended, and Chapter 15, of said Code relating to the Public Arms and Defense.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Sec. 1. That Chapter 8 of the Revised Code of Delaware 1915, as amended, be and the same is hereby repealed and the following inserted in lieu thereof, to be styled: .

CHAPTER 8

DELAWARE NATIONAL GUARD

293. Sec. 1. STATE MILITIA; NAME OF:—The active Militia of this State shall hereafter be designated and known as the "Delaware National Guard," and shall be subject at all times to the orders of the officers thereof.

294. Sec. 2. DEFINITIONS:—For the purpose of this Act, the words "National Defense Act" shall be taken to mean an act of Congress, entitled "An Act for making further and more effectual provision for the national defense, and for other purposes," approved by the President June third, nineteen hundred and sixteen, and any and all acts that may hereafter be enacted amendatory thereof and supplementary thereto. The word "company" shall apply to and indicate the infantry, headquar-

DELAWARE NATIONAL GUARD

ters, supply, cavalry, field artillery, engineer, signal, field hospital, machine gun, ambulance, and field bakery units, corresponding in general organization to a company of infantry. The words "regiment" and "battalion" shall apply to any organization of any arm of the service equal in organization to a regiment or battalion of infantry, as the case may be, or so denominated by law.

295. Sec. 3. **FEDERAL STATUTES; CONFORMITY THEREWITH:**—The National Guard and National Guard Reserve of this State shall conform to the Federal Statutes now enacted or hereafter enacted, and the Governor of the State, as Commander-in-Chief, is hereby authorized and empowered to make such changes from time to time in matters of organization, administration and discipline as may be necessary in order to conform to the requirements made by Congress for participation in Federal appropriations for the National Guard.

296. Sec. 4. **STAFF OF COMMANDER-IN-CHIEF:**—On and after the third Tuesday in the month of January 1925, the Staff of the Commander-in-Chief shall consist of three Aides-de-Camp, with the rank of Lieutenant-Colonel, one to be appointed from each of the three counties of the State; who shall serve during the term of the Commander-in-Chief, provided however, that the Commander-in-Chief, if he so desires, may reappoint to the same office members of the Staff, who have served in such office for ten years.

297. Sec. 5. **ADJUTANT GENERAL, APPOINTMENT OF; DUTIES AND SALARY:**—The Adjutant General shall be appointed by the Governor, and shall have had previous military experience. He shall qualify and hold office in accordance with the provisions of the National Defense Act or any amendments thereto.

The duties of the Adjutant General shall be as follows, to-wit: He shall be Chief-of-Staff of the Delaware National Guard and shall promulgate all orders of the Commander-in-Chief, and shall obey all orders relative to carrying into execution and

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perfecting any system of military discipline established by law; he shall be in attendance when the Commander-in-Chief reviews the Delaware National Guard, and perform such other military duties as the Commander-in-Chief may direct; he shall keep a register of all the officers and men of the military forces of the State, and keep in his office all records and papers required to be kept and filed therein, and make a full report on or before the thirty-first day of December, in each year, to the Commander-in-Chief upon the condition of the Delaware National Guard, and a detailed statement of all the expenditures during the preceding year; and he shall furnish the proper officials of the United States Government such reports and other information as may from time to time be necessary. He shall purchase with and by consent of the board provided for by Section 36 of this Chapter, such books, blank forms, stationery and other military stores as may be necessary for the proper instruction and equipment of the Delaware National Guard, and issue the same upon proper requisition therefor; and furnish transportation and subsistence to the officers and men when it is necessary so to do for the transaction of military business out of funds which may be appropriated for these purposes. He may, with the approval of the Commander-in-Chief, sell or exchange from time to time, such military stores belonging to the Delaware National Guard as are found unserviceable or in a state of decay, or which it may be deemed for the interest of the State to sell or exchange. The Adjutant General shall receive an annual salary of Sixteen Hundred Dollars, and is authorized to draw his warrant on the State Treasurer, who is authorized and directed to pay the same out of money hereinafter appropriated for military purposes, in equal monthly installments. He shall have power and authority to employ such clerical assistance as may be necessary in the administration of his office, who shall be paid out of funds which may be appropriated for that purpose. He shall furnish bond in such amount and form as may be directed by the Commander-in-Chief, conditioned for the faithful performance of his official duties.

298. Sec. 6. STATE STAFF CORPS AND DEPARTMENTS:—In

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file a like bond to the State of Delaware as hereinbefore prescribed, for the safe keeping and return of all property of the State or of the United States, in possession of said company or detachment, upon the terms and conditions imposed upon the officer from which said property was received.

304. Sec. 12. MISAPPROPRIATION OF PUBLIC PROPERTY; MISDEMEANOR; PENALTY:—It shall be unlawful for any person to secrete, sell, dispose of, offer for sale, or in any manner pawn or pledge, or buy any arms or equipments or other property furnished to any organization, of the National Guard of Delaware, the property of the State or of the United States, or of any such organization, without proper authority for so doing, and all persons offending against the foregoing provisions, shall, upon conviction thereof by the Court of General Sessions, be adjudged guilty of a misdemeanor, and shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or be imprisoned for not less than six months nor more than one year or both.

305. Sec. 13. INJURY TO MILITARY PROPERTY; MISDEMEANOR; PENALTY:—It shall not be lawful for any person wilfully or maliciously to destroy, injure or deface any arms or other articles of military property belonging to this State or to the United States, and whoever shall so offend shall, upon conviction thereof by the Court of General Sessions, be adjudged guilty of a misdemeanor and shall be punished with a fine not exceeding double the amount of the value of the property so injured or defaced, or be imprisoned not less than two weeks nor more than two months, or both.

306. Sec. 14. MISAPPLICATION OF PROPERTY OR MONEY BY MEMBERS OF DELAWARE NATIONAL GUARD; MISDEMEANOR; PENALTY:—Any member of the National Guard of Delaware who shall wilfully and unlawfully misapply or convert to his own use any money or other property issued or furnished to the National Guard or any organization thereof, or who shall, when lawfully called upon so to do by the proper officer of said Dela-

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ware National Guard, fail or refuse to pay or deliver to said officer any such money or property in his possession, for which the said member was chargeable or accountable, shall, upon conviction thereof by the Court of General Sessions, be adjudged guilty of a misdemeanor and shall be punished with a fine not exceeding five hundred dollars, or be imprisoned for a period not exceeding one year, or both, in the discretion of the Court.

307. Sec. 15. ARMS, &C. TO BE DEPOSITED IN ARMORIES WHEN DEMANDED; DISOBEDIENCE TO SUCH ORDERS; PENALTY:—All arms, equipments or other property furnished to organizations of the Delaware National Guard, shall, when required by the Adjutant General, the commanding officer of the company, or commanding officer of the regiment to which said company belongs, or by the commanding officer of any detachment thereof, be deposited in the Armory of said Company, regiment or detachment, and any person to whom such property was issued, failing to deposit as aforesaid any article of such property unless properly accounted for within ten days after he shall have been notified, by written notice from the commanding officer as aforesaid, to return it to the Armory, shall, upon conviction thereof by the Court of General Sessions, be adjudged guilty of a misdemeanor, and shall be punished with a fine not exceeding double the value of the property thus illegally detained, or shall be imprisoned for not less than two weeks nor more than two months, or both. Provided further, that, when any arms, equipments or other property furnished to organizations of the Delaware National Guard, are lost or damaged by the act or neglect of any officer or enlisted man, deduction may be made to the amount of such loss or damage, from any pay or allowance that may be or become due, under the provisions of this Chapter, to such officer or enlisted man.

308. Sec. 16. INCAPACITATED COMPANY MAY BE DISBANDED:—If it appears to the Commander-in-Chief that a company of the Delaware National Guard has failed to comply with the requirements of the law, so that it is incapacitated to discharge

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the duties required of it, such company may be disbanded by the Commander-in-Chief.

309. Sec. 17. COMMANDING OFFICER OF DISBANDED COMPANY RESPONSIBLE FOR EQUIPMENTS; PROCEEDINGS TO RECOVER:—Upon the disbandment of any company or organization which has received arms, equipments or any other property of the State or of the United States for military purposes, the commanding officer of such company or organization shall be responsible for the return of the same to the custody of some duly authorized officer of the State. And it shall be the duty of the Adjutant General to take the necessary legal proceedings in the name of the State, or direct that proper legal proceedings be taken, as provided for in Section 14 of this Chapter, unless the said property is properly accounted for.

310. Sec. 18. COURTS-MARSHAL:—All court-marshal procedures as provided by the National Defense Act shall be in conformity therewith and shall apply to the Delaware National Guard and members thereof; all processes and sentences of said courts shall be executed by such civil officers as prescribed by the laws of this State.

311. Sec. 19. PUBLIC DEFENSE; GOVERNOR MAY CALL OUT NATIONAL GUARD; PAY FOR SERVICE; HOW PAID:—When it may be necessary to use any military force for public defense against foreign or domestic violence, or to preserve the public peace, the Governor, as Commander-in-Chief, shall have power according to the emergency, to call out any regiment, battalion, company, or any part thereof, for that purpose. For every day's service while on such duty, each private shall receive one dollar and fifty cents; each corporal one dollar and seventy-five cents; each duty sergeant two dollars; each non-commissioned staff and first sergeant, battalion sergeant major, drum-major, and principal musician, two dollars and fifty cents; the chief musician, three dollars, besides necessary expenses; and each commissioned officer the minimum pay and allowance of officers of like grade in the United States Army.

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Such service pay and any expenses incidental to said mobilization shall be paid by the State Treasurer from any monies not otherwise appropriated, upon warrants issued therefor by the Adjutant General, and countersigned by the Governor.

312. Sec. 20. NOTICE OF REQUISITIONS FOR MILITARY FORCE; NEGLECT TO RESPOND; PENALTY; COMMISSIONS REVOKED:—All such requisitions for military force shall be made known to the forces whose services are required by the commanding officer thereof; and upon refusal of those notified to attend the summons and perform the duty required, they shall be fined as follows: Each non-commissioned officer or private not less than thirty nor more than one hundred dollars, and each commissioned officer not less than one hundred nor more than one thousand dollars, as the Court Marshal shall in all such cases determine; and furthermore, the commission of a commissioned officer shall be revoked.

313. Sec. 21. EXEMPTION FROM ARREST, WHEN; RIGHT OF WAY; EXCEPTIONS:—No person belonging to the military forces of this State shall be arrested on any civil process while going to, remaining at or returning from any place at which he may be ordered to attend for military duty. Any portion of the Delaware National Guard parading or performing any duty according to law, shall have the right of way in any street or highway through which they may pass; provided, the carriage of the United States Mails, the legitimate functions of the police, and the progress and operation of fire engines and fire departments, shall not be interfered with thereby.

314. Sec. 33. INJURED OFFICER OR PRIVATE; CARE OF; COMPENSATION; PENSION IF KILLED; HORSE USE IN SERVICE; APPRAISEMENTS; WHEN PAID FOR; COMPENSATION FOR USE:—If any officer or soldier belonging to any regiment, company or detachment of the National Guard of Delaware be wounded or disabled in the service of the State, when called out into such service, he shall be taken care of and provided for at the public expense, and fair compensation shall be allowed him for his time and

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injury. If killed, his family shall receive compensation according to his rank, as regulated by the pension laws of the United States. If any horse shall be taken into the service of a regiment, company or detachment, the same shall be appraised by the officer in command and two citizens, before it is actually used in such service, and the appraisement entered into a book by the officer who assists in making the same; and in case such horse shall be killed, disabled, die, or be taken by the enemy, the owner shall be paid the full value of such horse; provided the loss has not occurred through the neglect or improper conduct of the owner or his servant; and for the use of every such horse a fair compensation shall be allowed.

315. Sec. 23. RULES WHEN IN SERVICE, THOSE OF U. S. ARMY:—Whenever the troops or any part thereof are called into active service, the officers and men shall be governed by the regulations, customs and usages of the United States Army.

316. Sec. 24. APPROPRIATION TO ANY COMPANY OR LIKE UNIT; COMPENSATION OF COMMISSIONED OFFICERS; ADDITIONAL APPROPRIATION FOR COMPANIES WITHIN AND OUTSIDE OF WILMINGTON AND TO REGIMENTAL AND BATTALION HEADQUARTERS; HOW PAID:—Each company or like unit, duly organized and found by the proper authorities, on examination of the rolls, and reports returned by the Inspecting Officer, to be fully up to the standard of numbers, drills and discipline, shall receive, the sum of seven hundred dollars per annum, except companies or like units quartered in the State Arsenal at Wilmington, which shall receive the sum of three hundred dollars each; provided, that companies or like units quartered in said Arsenal shall have the benefit of light, fuel and janitors, the expense of which shall be paid from the General Fund.

Commissioned officers of the National Guard who have been present and performed eighty per cent of duty during the year and have been in the service at least one year shall receive annually the sum of twenty-five dollars each to assist in uniforming equipping themselves;

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Regimental headquarters shall be paid the sum of three hundred dollars annually for current expenses;

The State Military Band or Drum Corps shall be paid the sum of three hundred dollars annually when upon examination it is found to meet proper and necessary requirements and standard of drill and discipline. These to be paid from funds which may be appropriated for these purposes.

317. Sec. 25. There shall be annually appropriated sufficient funds for the upkeep and proper maintenance of the State Rifle Range.

318. Sec. 26. TROOP B ARMORY; IN CHARGE OF STATE MILITARY BOARD; USE OF; CARE OF; EXPENSE HOW PAID:—The building located at Twelfth and Orange streets in the city of Wilmington, the property of the State of Delaware, and known as Troop B, Armory, shall be placed in charge of the State Military Board, to be used as a State Arsenal and Armory, and as quarters for that part of the Delaware National Guard stationed at Wilmington. The State Military Board shall employ janitors who shall also act as Armorers, they shall also keep the building in repair and provided with heat and light, the expense of which shall be paid out of funds which may be appropriated for this purpose.

319. Sec. 27. BILLS TO BE ITEMIZED AND SWORN TO BEFORE PAYMENT; EXCEPT DRAFTS OF ADJUTANT GENERAL FOR CURRENT EXPENSES:—No bill or allowance, on account of the Delaware National Guard, authorized by the provisions of this chapter, shall be approved and paid by the State Treasurer, unless the said bill or allowance is itemized and its contents duly sworn to or affirmed before an officer authorized by law to administer oaths or affirmations; provided, however, that the Adjutant General shall be permitted to draw his warrant on the State Treasurer, properly endorsed by the State Military Board, to pay current expenses from funds which may be appropriated for such purpose.

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320. Sec. 28. APPROPRIATIONS; HOW PAID:—For the purpose of carrying into effect the provisions of this Act, the several sums of money hereinafter named are hereby appropriated out of the Treasury of this State annually as follows:

Salary of Adjutant General as provided in Par. 297, Sec. 5	\$1,600.00
Clerk Hire, Adjutant General's Office, Par. 297, Sec. 5	3,000.00
Appropriations to Companies, Band and Headquarters. Par. 316. Sec. 24	6,600.00
Clothing Allowance, Officers. Par. 316, Sec. 24	1,000.00
Wages of janitor and watchman, light and heat, tele- phone and telegraph, postage, printing and publi- cation, armory supplies, officers bond and insur- ance, repairs and maintenance of armories, and traveling expenses of officers. Par. 318, Sec. 26....	6,130.00
State Rifle Range; wages of caretaker and laborer, insurance, repairs and maintenance. Par. 317, Sec. 25	2,270.00
Emergency Fund: To be expended only in case of em- ergencies, upon warrant of the Governor and the State Military Board	3,000.00
Total Annual Appropriation	\$23,600.00

For the purpose of carrying into effect the provisions of Sec. 39, Par. 331 of this Act, providing for the shelter for the material supplied the State of Delaware by the United States Government there is hereby appropriated out of the treasury of this State for the year 1921, only, the sum of \$15,000.00, in addition to the amounts hereinbefore appropriated, to be expended upon warrant of the Governor and the State Military Board.

There shall be credited against the appropriations provided for in this Section, the sum of eight thousand dollars, the same being the residue of the 1920 appropriation for the Delaware National Guard, in the hands of the Adjutant General.

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321. Sec. 29. DELAWARE NATIONAL GUARD ORDERED INTO SERVICE; WHEN; BY WHOM; REGULATIONS OF PLACE; VIOLATION OF, PENALTY; PROCEDURE BEFORE JUSTICE OF THE PEACE:—The Commander-in-Chief may, in his discretion, order into service the forces organized under this Chapter, for field manoeuvres, target practice or review, at such places in the State as he may deem best suited for the purpose when funds appropriated for such purpose are available; and whenever such troops are ordered into service, the Commanding Officer thereof may fix certain bounds not including any public roads, within which no spectator may enter without leave; and whoever intrudes within such limits, when forbidden to do so, or, after entering by permission, shall conduct himself in a disorderly manner, or whoever resists a sentry or guard acting under orders to prevent such entry or to prevent disorderly conduct, may be arrested by the Commanding Officer, or by his order, and taken before any Justice of the Peace of the County wherein the offense is committed, and upon conviction of the offense shall be fined not less than ten nor more than fifty dollars and the costs of prosecution, and committed until such fine and costs are paid.

322. Sec. 30. OATHS; CERTAIN OFFICERS MAY ADMINISTER, WHEN; FALSE SWEARING; PENALTY:—General, Field and Commissioned Staff Officers are authorized and empowered to administer oaths and affirmations, in all matters appertaining to or concerning the Delaware National Guard service, but in no case shall they charge any fee or compensation therefor. Any person who shall falsely swear or affirm to any oath or affirmation so administered, shall be liable to be indicted and punished as in other cases for wilful and corrupt perjury, in having violated his oath or affirmation.

323. Sec. 31. RULES FOR DELAWARE NATIONAL GUARD; FORCE OF:—The Commander-in-Chief is authorized upon the recommendation of the General Staff or a Board of Officers appointed by him for that purpose, to make and publish rules and regulations for the government, discipline and exercise of the Delaware National Guard, to carry out the provisions of this Chap-

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ter, which rules and regulations shall, so far as practicable, conform to the rules and regulations of the United States Army, and which rules and regulations, when promulgated, shall have all the force of the law.

324. Sec. 32. RETIRED LIST; RIGHTS OF RETIRED OFFICERS AND PRIVATES:—Any commissioned officer of the Delaware National Guard who has reached the age of sixty-four years, shall be placed upon the retired list by the Commander-in-Chief. Any commissioned officer of the Delaware National Guard, who has faithfully served as an officer of the Delaware National Guard for a period of not less than ten years, may, at his own request, be retired from active service, or if a commissioned officer who has not served as such for the full length of time hereinabove provided, shall become permanently disabled to perform his duties, he may, upon his own application, and in the discretion of the Commander-in-Chief, be so retired. Any enlisted man having served faithfully for a period of fifteen years, or becoming disabled in the service, may be retired from active service in the discretion of the Commander-in-Chief.

Officers and enlisted men retired shall be borne on the roster of the Delaware National Guard as so retired, and shall be entitled to wear the uniform of the highest grade attained by them on all occasions of ceremony. Retired officers may, in the discretion of the Commander-in-Chief, with their consent, be temporarily placed on active duty.

325. Sec. 33. GOVERNOR MAY CALL OUT NATIONAL GUARD ON EXTRAORDINARY OCCASIONS; DECLARATION OF STATE OF INSURRECTION:—When it may be necessary to use any military force to provide for the protection of the lives or property of the people of the State, or in time of imminent danger, of foreign or domestic violence, epidemic or breach of the public peace, or imminent danger to the lives or property of the people of this State, the Governor, as Commander-in-Chief, shall have power, according to the emergency, to call out any regiment, battalion, company, or any part thereof, for that purpose. Whenever

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any portion of the National Guard is employed in aid of the civil authority, the Governor, if in his judgment the maintenance of law and order will thereby be promoted, may by proclamation declare the County or City in which the troops are serving, or any specified part thereof, to be in a state of insurrection.

326. Sec. 34. OFFICERS' COMMISSIONS, ISSUED WITHOUT CHARGE:—The commissions of the officers provided for in this chapter will be issued without charge, and will be transmitted through the office of the Adjutant General for record.

327. Sec. 35. DONATIONS BY COUNTY, MUNICIPALITY, OR CORPORATIONS TO THE DELAWARE NATIONAL GUARD; AUTHORITY FOR; DONOR MAY DIRECT USE OF GIFT BY STATE MILITARY BOARD:—Any county, municipality, or corporation in this state may appropriate money out of the Treasury of such municipality, County or Corporation, or donate any other valuable thing, or grant or lease any land belonging to them, for the purpose of aiding in the improvement of the Delaware National Guard.

The money is appropriated, or other valuable thing donated, or the land so granted or leased, shall be appropriated, donated, granted or leased to the State Military Board, and expended or disposed of by said Military Board in such manner, and under such conditions, as the donor may direct.

328. Sec. 36. STATE MILITARY BOARD:—The State Military Board shall consist of the Commander-in-Chief, the Adjutant General and Ranking Field Officer. This Board is also made an Armory Commission for the State, with all powers necessary to carry out any and all provisions of law for the erection of an Armory and Arsenal in the State of Delaware.

329. Sec. 37. STATE ARMORY AND ARSENAL; USE OF:—All government and state military property that the military authorities of the state may desire, shall be stored in the State Arsenals; the use and occupation of the remainder of the Arsenals or Armories shall be turned over to such State Military Organiza-

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tions or Organization, as may from time to time exist, subject to the supervision of the proper military authorities of the State.

330. Sec. 38. NATIONAL GUARD RESERVE:—That hereafter, men duly qualified under regulations prescribed by the Secretary of War may enlist in the National Guard Reserve for a period of one or three years, under such regulations as the Secretary of War shall prescribe, and on so enlisting they shall subscribe to the following enlistment contract and take the oath therein specified: "I do hereby acknowledge to have voluntarily enlisted this day of, 19..., as a soldier in the National Guard Reserve of the United States and of the State of Delaware, for a period of one (or three) years, unless sooner discharged by proper authority, and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Delaware, and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the President of the United States and the Governor of the State of Delaware, and of the officers appointed over me according to law and the rules and Articles of War": Provided, that members of said reserve, officers and enlisted men, when engaged in field or coast defense training with the active National Guard, shall receive the same Federal pay and allowance as those occupying like grades on the active list of said guard when likewise engaged: Provided further, that, except as otherwise specifically provided in the National Defense Act, no commissioned or enlisted reservist shall receive any pay or allowances out of any appropriation made by Congress for National Guard purposes.

331. Sec. 39. SHELTER FOR MATERIAL, PROVISION, APPROPRIATION FOR:—The State Armory Board is empowered to draw on the State Treasurer for the sum of fifteen thousand dollars or so much thereof, as may be necessary for the erection of suitable shelter for material and equipments furnished to the Delaware National Guard by the Federal Government.

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Section 2. That Chapter 15, of the Revised Code of Delaware be and the same is hereby amended by striking out 480 Sec. 26 of said Chapter, and inserting in lieu thereof the following: 480 Sec. 26. DELAWARE NATIONAL GUARD; APPROPRIATION FOR; HOW PAID:—None of the provisions of Section 19 to 28 inclusive of this Chapter shall apply to the appropriation for the Delaware National Guard, except that, when such appropriation or appropriations become due and payable, the Auditor of Accounts shall draw a voucher or vouchers for the same, as provided in Section 22 of this Chapter.

Section 3. All acts or parts of acts inconsistent herewith are hereby repealed.

Approved March 29, A. D. 1921.

CHAPTER 23

BUREAU OF WAR RECORDS

AN ACT to provide for the collection, preparation, publication and preservation of records, history and statistics and collection, and preservation of colors, standards, battle flags and relics of Delaware troops in the wars in which the State participated.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. In addition to his other duties the Adjutant General of the State shall establish and maintain as part of his office, a bureau of war records, in which all records in his office relating to the wars in which the State participated shall be kept. He shall be the custodian of all such records, colors, standards and battle flags of Delaware Troops now the property of the State or in its possession, or which the State may hereafter acquire or become possessed of.

Section 2. The Adjutant General of the State by all reasonable ways and means shall complete such records and gather from every available source such colors, standards and battle flags as were borne by Delaware State Troops in the wars in which the State participated and such statistics and historical information and relics as may serve to perpetuate the memory and heroic deeds of the soldiers of the State, and keep and carefully preserve such records and as carefully safeguard as custodian such relics, colors, standards and battle flags so gathered.

Section 3. He is authorized to request and accept from incorporated associations of veterans of the different regiments statements and information duly authenticated by them, descriptive of their colors, standards and battle flags, together with the number and class of arms of the regiment, the date and place of muster into the service of the state and also into the service of the United States, the period of service, and the date and place

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of muster out, the date of departure from the seat of war, the various battles and engagements and places of service, including garrison duty, the time of joining brigades, corps and armies, with the time and nature of the service, and the names of the officers and men of such regiments, the names of those killed in action including those who died of wounds, and the names of those who died of disease during their period of service, and those who may have been honored by our Government or by our allies by citations, decorations or letters of merit. He is further authorized to ask the co-operation and assistance of the Adjutant General of the United States, The Bureau of Navigation, U. S. Navy, The Commandant General U. S. Marines, and of the city, county and town authorities and officials, and of the Grand Army of the Republic, The Military Order of the Loyal Legion, the United Spanish War Veterans, The American Legion, World War Veterans, and of other organizations and persons in the State of Delaware and elsewhere in the collection of such other information, relics, memorials and battle flags as is contemplated by this article, in order to make as complete as possible the records, history and statistics of the patriotic service of the soldiers of the State during the wars in which the State participated.

Section 4. The Adjutant General of the State is directed to cause to be transcribed and kept in books of record in such bureau the historical facts, information and statistics as provided above; and is authorized to determine a convenient size for the volumes in which such statistics and historical data may be bound.

Section 5. He is further authorized to provide locked and sealed cases with glass fronts, as nearly air-tight as practicable, in which shall be kept and displayed the colors, standards and battle flags above mentioned, and receive placards in duplicate, which incorporated regimental veteran associations are privileged and empowered to furnish and upon which shall be inscribed synopsis of the historical information and statistics herein provided to be furnished to such bureau by regimental veteran

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associations, or failing to receive such data and information from such veteran associations, for the preparation of such placards, he may utilize the authentic information which he may obtain from other sources, as herein provided, which placards shall be uniform in size and color and shall be attached to or conspicuously placed in proximity to the colors, standards and battle flags to which they refer. If any placard or inscription shall be lost, destroyed or removed, the Adjutant General of the State shall at once replace it by duplicate of the original on file.

Section 6. The books, records and other property and relics deposited in such bureau shall be open to inspection and use, except the use of the colors, standards and battle flags, at such reasonable hours and under such regulations as the Adjutant General of the State may determine. No book or other property placed in such bureau for the purpose of this article, shall be removed therefrom, or from the immediate custody and control of the Adjutant General of the State without an act of the legislature, nor any battle flag, standard or colors shall be removed from the custody or control of the Adjutant General of the State without an act of the legislature.

Section 7. The State Librarian is authorized and directed to provide suitable and convenient quarters in the capitol for the display of such colors, standards, battle flags and relics.

Section 8. Transcripts therefrom such records as furnished by the Adjutant General of the Army, the officials of the United States Navy or Marine Corps shall be furnished on application by the Adjutant General of the State, properly certified under the seal of the office, without any charge whatsoever, and to be so noted on the record furnished.

Officers, soldiers, sailors or marines may deposit with the Adjutant General of the State, descriptive lists, records of service, muster rolls or company or regimental books and papers for safekeeping.

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Section 9. There is appropriated from any moneys not otherwise appropriated upon warrants issued therefor by the Adjutant General and countersigned by the Governor, the sum of five thousand (\$5000.00) dollars to carry into effect the provisions of this act, and the legislature shall annually make suitable appropriations to enable the Adjutant General of the State to carry out the provisions of this section.

Section 10. The Adjutant General of the State is further directed to assist deceased service men's families and former service men or their dependents in adjusting their claims with the government and to arrange for proper military or naval funerals for the service men from Delaware who were killed in action or died while overseas, and brought back to their home State for burial. To assist our heroic service men and their families who made the supreme sacrifice there is appropriated from moneys available the sum not to exceed twenty-four hundred (\$2400.00) dollars for the hire of two additional clerks for the period from the passage of this act to January 31st, 1922, and for the expense of conducting military or naval funerals of deceased service men from Delaware brought from overseas the sum of one hundred twenty-five (\$125.00) dollars per funeral, the same to be paid on the warrants of the Adjutant General when approved by the governor.

Section 11. The Adjutant General is further directed to obtain the photographs of any citizen of the State of Delaware who was killed in action, died of wounds or lost his life in performance of duty while in the military or naval forces of the United States during the war with Germany. These photographs shall be as nearly uniform as possible, and shall be placed in the State House at Dover, in a place to be selected, and shall be inscribed in such a manner as to show the name, rank, unit, date and place of death. For the purpose of carrying into effect the provisions of this section the sum of Five Hundred (\$500.00) dollars is hereby appropriated, the same to be paid on the warrants of the Adjutant General when approved by the Governor.

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Section 12. Provided further, that nothing in this act shall be construed as interfering with the functions of the State Archives Commission as prescribed by law.

Approved March 28, A. D. 1921.

CHAPTER 24

STATE COUNCIL OF DEFENSE

AN ACT repealing Chapter 3, of Volume 30, of the Laws of Delaware, relating to the State Council of Defense.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 3, of Volume 30, of the Laws of Delaware, being an Act entitled, "An Act relating to the maintenance of the public safety and the vital enterprises within the State during the war period, and for that purpose creating the State Council of Defense and defining its powers and prescribing the duties under this Act of persons resident within the State during the said period, and fixing penalties for the non-observance of the provisions of this Act," be and the same is hereby repealed, and all the powers conferred by the said Act be and they are hereby revoked, annulled and cancelled.

Approved February 15, A. D. 1921.

State Officers and Commissions

GENERAL PROVISIONS RESPECTING PUBLIC OFFICERS

*Be it enacted by the Senate and House of Representatives
of the State of Delaware, in General Assembly met:*

Section 1. That Chapter 11 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of that section designated as, 385, Sec. 9, of said chapter, and by inserting in lieu thereof, a new section to be styled, 385, Sec. 9, as follows:

"385, Sec. 9. SECRETARY OF STATE AND AUDITOR OF ACCOUNTS; OFFICIAL SECURITIES OF; RECORD OF; FORFEITURE OF OFFICE ON FAILURE TO GIVE BOND:—The Secretary of State and the Auditor of Accounts, before entering upon their offices respectively, shall each with sufficient sureties become bound to the State of Delaware, by a joint and several obligation, to be with the sureties approved by the Governor, the Secretary of State in the penal sum of Seventy-five Thousand Dollars, and the Auditor of Accounts in the penal sum of Two Thousand Dollars, with condition, that if the above named who has been (duly appointed or duly elected) to be shall and do well and diligently execute his office of as aforesaid, and duly and faithfully fulfill and perform all the

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trusts and duties to the said office appertaining and truly and without delay deliver to his successor in office the seal and all the books, records and papers belonging to said office, safe and undefaced, then this obligation shall be void and of no effect, or else shall remain in full force and virtue.'

"The obligation of the Secretary of State shall be filed and recorded in the Recorder's Office of Kent County, and the obligation of the Auditor shall be recorded by the Secretary of State in the executive register, and filed in his office.

"If any person appointed Secretary of State, or elected or appointed Auditor of Accounts, shall not within seven days next after the day of taking his office, become bound as herein required, the appointment or election shall be void, and another person shall be appointed."

Approved January 20, A. D. 1921.

CHAPTER 26

GENERAL PROVISIONS RESPECTING PUBLIC OFFICERS

AN ACT to provide for the preparation and review of estimates for expenditures and revenue, and to establish a budget system for all State departments, bureaus, divisions, officers, boards, commissions, institutions, and other agencies receiving or asking financial aid from the State of Delaware.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That on or before the fifteenth day of September, biennially, in the year which next precedes the convening of the General Assembly, each of the several State Departments, bureaus, divisions, officers, boards, commissions, institutions and other agencies receiving or asking financial aid from the State of Delaware, shall report to the Governor, on official estimate blanks furnished for such purpose, an estimate in itemized form showing the amount needed for each fiscal year of the ensuing biennial period beginning with the first day of July next thereafter. Any organization, body, committee or person intending to request an appropriation from the General Assembly for any particular object or purpose, or for any expenditure, shall likewise present such a request to the Governor, on official estimate blanks furnished for such purpose, on or before the fifteenth day of September in the year which next precedes the convening of the General Assembly. In case of any organization, body or committee making such request, the request shall be made by some person duly authorized therefor, and shall be sworn to by the person making the same.

Section 2. On or before August first, biennially, in the year next preceding the convening of the General Assembly, the official estimate blanks which must be used in making these reports shall be furnished by the Governor to each of the several state departments, bureaus, divisions, officers, boards, commissions, institutions and other agencies receiving or asking financial aid

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from the State of Delaware. These blanks shall be uniform and shall clearly designate the kind of information to be given thereon. They shall provide for an itemized statement of the amount of money considered necessary for the proper maintenance, extension or improvement of the reporting department, bureau, division, officer, board, commission, institution or other agency, during each of the two fiscal years next ensuing, beginning with the first day of July next thereafter; and of the actual revenues and expenses for the two last prior fiscal years of such reporting bodies; and of the amounts by which the estimates for each of the two fiscal years of the succeeding biennial period are larger or smaller than the corresponding items of expenditures for each of the two prior years, with full explanation of such changes in the estimates. Provided, however, that all the salaries fixed by law shall be included without change in the itemized statement. They shall contain such other information and provide for such classification of accounts as may be justified by modern accounting practices and deemed necessary by the Governor to fully and clearly explain the needs and purposes of any estimated expenditure.

Section 3. On or before the fifteenth day of September, biennially, in the year next preceding the convening of the General Assembly, the State Auditor shall furnish to the Governor the following statements, classified and itemized in strict accordance with the budget classifications adopted by the Governor:

(1) A statement showing the balance standing to the credit of the several appropriations for each department, bureau, division, officer, board, commission, institution or other agency of the State at the end of the last preceding fiscal year.

(2) A statement showing the monthly expenditures and revenues from each appropriation account, and the total monthly expenditures and revenues from all the appropriation accounts, including special and all other appropriations, in the twelve months of the last preceding fiscal year.

(3) A statement showing the annual expenditures in each

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appropriation account, and the revenues from all sources, including expenditures and revenues from special and all other appropriations, for each fiscal year of the preceding biennial period, with a separate column showing any increase or decrease for each item.

(4) An itemized and complete financial balance sheet of the State at the close of the last preceding fiscal year ending June 30.

(5) Such other statements as the Governor shall request.

Section 4. Any department, bureau, division, officer, board, commission, institution or other agency requesting or receiving financial aid from the State, upon request, shall immediately furnish to the Governor, in such form as he may require, any information desired by him in relation to their respective affairs or activities.

Section 5. On or before December first, biennially, in the year next preceding the convening of the General Assembly, the State Auditor shall furnish the Governor a statement of the actual expenses of the last preceding regular legislative session. On or before December first, biennially, in the next year preceding the convening of the General Assembly, estimates of the financial needs of the State Judiciary for each of the two fiscal years of the ensuing biennial period, certified by the Clerk of the Supreme Court, shall be furnished the Governor. These estimates shall include, without change, salaries of the State Judiciary as fixed by law; the estimates of other requirements for the State Judiciary for the ensuing biennial period shall be included as designated to the said Clerk by the Chancellor or the Chief Justice. All of the data relative to the legislative branch of the Government and the State Judiciary transmitted to the Governor under this section shall be for his information and guidance in estimating the total financial needs of the State for the ensuing biennial period; but none of these estimates shall be subject to revision or review by the Governor and must be included in the budget as received by him.

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Section 6. The Governor shall provide, by the giving of such notice as he may deem necessary, for public hearings on any and all estimates to be included in the budget, which hearings shall be held beginning not later than November fifteenth in the year next preceding the convening of the General Assembly. These hearings shall be open to the public and to the press, and any citizen or authorized representative of any organization, or group of citizens, may attend these hearings and be heard upon any subject matter properly in review. The head or authorized representative of any State department, bureau, division, officer, board, commission, institution or other agency of the State, receiving or asking financial aid, may attend and be heard in explanation of any request for financial aid contained in any estimate submitted to the Governor. In the years of the gubernatorial election, the Governor-elect may, and is hereby authorized and empowered to sit at these hearings and to ask such questions and require such information upon the estimates under review and revision as he may deem fit. The Governor-elect may also prepare a statement of any recommendation or suggestions in connection with the proposed budget, and such statement shall be presented to the General Assembly simultaneously with the presentation of the budget bill.

Section 7. On or before the fifteenth day of December immediately preceding the convening of the General Assembly, the Governor must have completed his review and revision of the estimates of all the departments, bureaus, divisions, officers, boards, commissions, institutions and other agencies of the State asking or receiving financial aid. The Governor shall have the power, in making such review, to revise, by increasing or decreasing, any estimate submitted to him, except those of the Judiciary and the General Assembly, but where such revision is made he must indicate it in his report to the General Assembly, together with reasons for his revision.

Section 8. Within five days after the convening of the regular session of the General Assembly, the Governor shall submit to each House printed copies of a budget, based on his own conclusions and judgment, containing a complete and item-

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ized plan of all proposed expenditures for each State department, bureau, division, officer, board, commission, institution or other agency of the State, classified by function, character and object, and of the estimated revenues and borrowings, for each fiscal year in the ensuing biennial period, beginning with the first day of July thereafter. Opposite each item of the proposed expenditures the budget shall show, in separate parallel columns, the amounts appropriated for each of the fiscal years of the last biennial period, together with any increase or decrease.

The Governor shall accompany the budget with—

- (1) A statement of the revenues and expenditures for each of the two fiscal years of the preceding biennial period, classified and itemized in accordance with the official budget classification.
- (2) True copies of all estimates submitted to the Governor under provisions of Section I of this Act.
- (3) A statement showing amount of State funds expended each fiscal year in the preceding biennial period under the general classifications of public highways, free public schools, charitable and benevolent institutions and organizations, agriculture and conservation, public health and other public welfare work, salaries and wages of State officers and employees, together with number of such officers and employees.
- (4) A statement of the condition of the several funds of the state.
- (5) A statement of the State debt with dates of maturity, interest due, and condition of sinking fund, together with any increase or decrease in State debt and sinking fund during the preceding biennial period.
- (6) A statement of the classified sources of State taxes and other State revenues, together with total amount of

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revenue derived from each source during the preceding biennial period.

(7) A statement setting forth the total funds required each year to meet the budget for the ensuing biennial period, together with any proposed plan for financing these requirements and measures, if any, which the Governor may deem necessary or advisable in relation to State revenue.

(8) Such other statements or data as the Governor may think is necessary for a thorough understanding of the State's financial condition and requirements.

The budget itself shall be in such form that it can be readily analyzed. It, together with the Governor's message, and all data accompanying it, shall be a public document and shall be printed as soon as presented, and copies thereof shall be furnished to each member of the General Assembly, to each department, bureau, division, officer, board, commission, institution and other State agencies, to all of the newspapers published in the State of Delaware, and it shall be given such other publicity as the Governor shall deem proper.

Section 9. The Governor shall submit to each House of the General Assembly, at the same time he submits his budget, copies of a tentative bill for all proposed appropriations for the budget, clearly itemized and properly classified, for each fiscal year in the ensuing biennial period. This bill shall be known as "The Budget Appropriation Bill."

Section 10. The standing committees of each House in charge of "The Budget Appropriation Bill" shall sit jointly in open sessions while considering the budget and "The Budget Appropriation Bill," and they shall begin such joint meetings within five days after the budget and "The Budget Appropriation Bill" have been submitted to the General Assembly by the Governor. This joint committee may cause the attendance of heads or responsible representatives of the departments, bureaus, divisions, officers, boards, commissions, institutions and other agen-

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cies of the State asking for financial aid, and compel the furnishing of such information and the answering of such questions as the joint committee shall require; and to these sessions shall be admitted, with the right to be heard, all persons interested in the estimates under consideration. The Governor, or his representative, and the Governor-elect shall have the right to sit at these public hearings and be heard on all matters coming before the joint committee.

Section 11. The General Assembly may increase, decrease or eliminate items in "The Budget Appropriation Bill" in any way that is not contrary to the Constitution of the State of Delaware, except as hereinafter provided; but neither House shall consider further or special appropriations, except in case of emergency, which fact shall be clearly stated in the appropriation bill therefor, until "The Budget Appropriation Bill" shall have been finally acted upon by both Houses. Provided, however; no items providing for appropriations for payment of interest or principal due on State debt shall be decreased or eliminated; the total budget appropriation items may not be increased in the aggregate to a point where they would exceed the State revenue from all sources as estimated in the budget.

Section 12. Any further or special appropriations shall be known as "Supplementary Appropriations." Every such appropriation shall be embodied in a separate bill limited to some single work, object or purpose therein stated, and called herein a "Supplementary Appropriation Bill." Each Supplementary Appropriation Bill shall, by its provisions, provide or designate the source from which the money therein appropriated is to be derived. No Supplementary Appropriation Bill shall be passed if, when added to the appropriations already authorized, the aggregate appropriations exceed in amount the state revenues from all sources for the ensuing biennial period as set forth in the budget.

Section 13. The Governor may, before final action thereon by the General Assembly, amend or supplement the Budget Bill

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to correct an error or oversight or in case of an emergency, by delivering such an amendment or supplement to both Houses; said amendment or supplement shall thereby become a part of "The Budget Appropriation Bill" as an addition to the items of said Bill, or as a modification or substitution for any item of said Bill such amendment or supplement may affect.

Section 14. If "The Budget Appropriation Bill" has not been finally acted upon before the fiftieth legislative day of the legislative session, it shall then be considered to the exclusion of all other bills until it is finally disposed of.

Section 15. Each state department, bureau, division, officer, board, commission, institution or other agency receiving appropriations from the State shall keep a detailed account of all receipts and expenditures under such appropriate headings, classifications and arrangements as may be prescribed by the Governor and used in the budget estimates, and all bills, statements, letters, vouchers and documents pertaining to these receipts and disbursements, shall be preserved and systematically filed by said departments and agencies.

Each state department, bureau, division, officer, board, commission, institution and other agency receiving an appropriation from the State shall immediately, upon the appropriation for its support being made, proceed to allot the appropriations so granted for the purposes set forth in the budget, but transfers of items in the allotments may be made upon written request by the spending agency to the Governor, State Treasurer and State Auditor, provided a majority of these three agree to the transfer of item requested, and the request and their action is made a matter of record with the State Auditor.

No money shall be drawn by any state department, bureau, division, officer, board, commission, institution or other agency from any fund in the State Treasury in excess of the amount appropriated by the General Assembly to said department, bu-

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reau, division, officer, board, commission, institution or other agency.

Section 16. All continuing or annual appropriations, except salaries as provided by law, are hereby repealed, as of July 1, 1923.

Section 17. The fiscal year of all state departments, bureaus, divisions, officers, boards, commissions, institutions and other agencies of the State of Delaware shall begin on July first in each calendar year, beginning in the year 1923, and end on June thirtieth of the succeeding calendar year.

Section 18. The Governor shall be the chief budget officer of the State of Delaware. He may call upon any other state officer for such assistance and shall employ such special help as he may require to carry out the provisions of this Act, and shall fix the compensation of such persons as he shall employ in this connection, and cause the same, together with their necessary expenses, to be paid out of the Governor's contingent fund.

Section 19. Any and all Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Section 20. This Act shall be liberally construed, and if any section thereof shall be declared unconstitutional by any court of competent jurisdiction, it shall not affect any other section thereof.

Approved April 4, A. D. 1921.

CHAPTER 27

SALARIES OF STATE OFFICERS

AN ACT to amend Chapter 12 of the Revised Code of the State of Delaware, by increasing the salary of the Auditor of Accounts.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That Chapter 12 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 393, Section 5 and the insertion in lieu thereof of the following section which shall be styled 393, Section 5.

393. Section 5. AUDITOR OF ACCOUNTS:—The annual salary of the Auditor of Accounts shall be three thousand six hundred dollars as full compensation for all his services.

Approved March 30, A. D. 1921.

CHAPTER 28

SALARIES OF STATE OFFICERS

AN ACT to amend Chapter 12, of the Revised Code of the State of Delaware, being an act relating to "Salaries of State Officers."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 12 of the Revised Code of the State of Delaware be and the same is hereby amended by the repeal of 396 Sec. 8 thereof, and the insertion in lieu thereof of the following, to be styled 396 Sec. 8:

396. Sec. 8. ATTORNEY GENERAL:—The Salary of the Attorney General shall be Thirty-six Hundred Dollars (\$3600.00) per annum.

Approved March 25, A. D. 1921.

CHAPTER 29

CHIEF CLERK

AN ACT to amend Chapter 13, of the Revised Code of the State of Delaware; Governor; 408, Section 8, Chief Clerk.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 13, Revised Code of the State of Delaware, be and the same is hereby amended by striking out all of 408, Section 8, of said Chapter, and by inserting in lieu thereof the following:

“408, Section 8. CHIEF CLERK:—The Governor and Secretary of State are authorized and empowered to employ a Chief Clerk at an annual salary of Two Thousand Dollars (\$2,000.00), to be paid in equal quarterly installments.”

Approved March 31, A. D. 1921.

CHAPTER 30

AUDITOR OF ACCOUNTS

AN ACT in relation to the property and money of the State and the receipts and expenditures of State moneys, and to the auditing of State departments, bureaus, divisions, offices, boards and commissions.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. On and after the first day of July nineteen hundred and twenty-one, it shall be unlawful for any State department, bureau, division, officer, board or commission to create any indebtedness or incur any obligation for personal service, work or labor, or for property, materials or supplies except by written or printed order or requisition according to the form prescribed by the Auditor of Accounts, and bearing the signed approval, (a) in the case of a State office, of the head thereof, or (b) in the case of a State department, bureau, division, board or commission, of the president or head officer thereof and of the secretary.

It shall be the duty of the Auditor of Accounts to prepare the form of such orders or requisitions as soon as practicable after the approval of this Act and prior to the first day of July nineteen hundred and twenty-one. There shall be a blank space on such form for the signature of the officer who must approve the order or requisition as aforesaid.

In the event of sickness or absence from the State of any officer whose approval is required on an order or requisition as aforesaid, he may designate some other person to give such approval during his sickness or absence, provided that he forthwith certify the name of such person and the reasons for the designation to the Auditor of Accounts; and such delegated authority shall cease as soon as the officer is able to resume his duties.

It shall be deemed a breach of duty for any officer to sign

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any order or requisition in blank, and a violation of this provision shall be a cause for removal from office.

Whenever any State department, bureau, division, officer, board or commission shall make any order or requisition, a duplicate thereof bearing the signed approval of the proper officer or officers as aforesaid shall be transmitted forthwith to the Auditor of Accounts whose duty it shall be to preserve the same and compare it with the bill or account rendered thereunder and to withhold his approval to any bill or account which varies from the respective order or requisition.

When the Auditor of Accounts shall have prepared a form for the orders and requisitions aforesaid, he shall communicate it to the Board of State Supplies whose duty it shall be to supply the several State departments, bureaus, divisions, officers, boards or commissions with a sufficient number of blank forms for use as orders or requisitions as aforesaid for the year.

Provided that none of the foregoing provisions of this section shall apply to the Board of State Supplies, nor to the Governor of this State, nor to the judicial department thereof.

Section 2. On and after the first day of July nineteen hundred and twenty-one no account or statement of indebtedness for any personal service, work or labor, or for property, materials or supplies performed for or furnished to any State department, bureau, division, officer, board or commission shall be deemed valid unless made out on a form prescribed by the Auditor of Accounts, and unless conforming to the provisions of Section 5 of this Act.

It shall be the duty of the Auditor of Accounts to prepare the form to be used in the making out of accounts or statements of indebtedness as aforesaid. Such forms shall contain a notice that no account or statement of indebtedness thereon shall be valid unless accompanied by the order or requisition authorizing such account or statement of indebtedness.

When the Auditor of Accounts shall have prepared a form

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for accounts or statements of indebtedness as aforesaid, he shall communicate it to the Board of State Supplies whose duty it shall be to supply the several State departments, bureaus, divisions, officers, boards or commissions with a sufficient number of blank forms for use as accounts or statements of indebtedness as aforesaid for the year.

Section 3. The Auditor of Accounts shall have the power to indicate to every State department, bureau, division, officer, board or commission the manner and method in which any and every form of indebtedness, including salaries of officers and employees, shall be presented to him; provided that nothing in this section shall apply to the Governor of this State or to the judicial department thereof.

Section 4. The provisions of sections 2 and 3 of this Act shall not be deemed to apply to salaries when the amount of salary is fixed by law.

Section 5. No money shall be drawn from the Treasury of this State to pay the salaries and expenses of employees of this State, or to defray the expenses of any State department, bureau, division, officer, board or commission, or for or on account of any contract for building or repairs, or for property purchased, or for work and labor performed or for materials or supplies furnished to any State department, bureau, division, officer, board or commission except upon itemized bills or statements in conformity with the preceding sections of this Act presented to and approved by the Auditor of Accounts. Such bills or statements must be presented to the said Auditor in duplicate bearing the signed approval, (a) in the case of a State office, of the head thereof; (b) in the case of a State department, bureau, division, board or commission, of the President or head officer thereof and of the Secretary; and bearing also a statement of the appropriation against which the expenditure is to be charged. Whenever a bill or statement is for materials or supplies furnished or work and labor performed under contract awarded by the Board of State Supplies, such bill or statement and duplicate thereof shall also bear the approval of the head officer and secretary of the

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said board. All bills or statements for personal expenses or mileage used, by or for any State officer, or member of any State department, bureau, division, board or commission, or any employee thereof, shall have a signed statement upon the face thereof to the effect that such expense was incurred, or mileage was used, only in the proper execution of the signer's official duties.

If the Auditor of Accounts finds the said bill or statement correct and according to the order or requisition which authorized it, and that it involves no violation of any provision of this Act or of any statute of the State of Delaware, he shall approve the bill or statement and the duplicate, and send both to the State Treasurer.

For the payment of salaries, pensions or any other appropriations for the expending of which bills or statements are not renderable, the Auditor shall present to the State Treasurer a voucher or warrant, in duplicate, which shall be signed by him, directing and authorizing the payment of the amounts due and payable. This voucher or warrant shall be in whatever form desired by the Auditor. Nothing in this Act shall be deemed to apply to the payment of principal or interest on any obligation of this State.

Section 6. The approval of any bill or statement by the Auditor of Accounts, or the presentation of any voucher or warrant signed by him shall be considered full authority for the payment of the same by the State Treasurer.

Upon the payment of the amount due by the State Treasurer he shall write or stamp upon the face of the bill or statement, voucher or warrant and the duplicate of the same, the number of the check drawn in payment thereof; and all checks shall be drawn in consecutive numerical order. The original bill or statement, voucher or warrant, shall be safely filed by the State Treasurer, pending the audit of his accounts. The duplicate of the bill or statement, voucher or warrant shall be returned to the Auditor and shall be safely filed by him in the consecutive order of the numbers of the checks of the Treasury Department. The Auditor

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shall enter the amount of the expenditure, the date of payment, to whom paid, the character or nature of the claim, the appropriation against which the same has been charged and such other information or data as he may deem desirable, in books kept for that purpose; and this record shall be kept in such a way as to be clear, informing and easily checked up, and shall be indexed so that the affairs and expenditures of every State department, bureau, division, officer, board or commission may be readily ascertained.

The Auditor is required and authorized, from time to time, to ascertain that the State Treasurer has drawn no checks other than those that have been accounted for in the manner herein provided.

Section 7. The Auditor may make such other requirements as will tend to safeguard or systematize the expenditures of the State's money; but he shall make no requirement that will unnecessarily interfere with the prompt payment of the amounts due, and under no circumstances shall he cause the payment of salaries of State officers to be delayed beyond the date upon which the same are due, nor shall he have the authority to countersign the checks of the Treasury Department.

Section 8. The Auditor shall examine all bills, statements, accounts and demands against the State and he may require affidavits that articles have been furnished, services rendered and expenses incurred, as claimed.

It shall be the duty of the Auditor to refuse to approve any bill or statement of indebtedness which has not been presented to him in conformity with the provisions of this Act, or which would more than exhaust the appropriation for which it must be paid, or which is not in accordance with the contract under which the said indebtedness was created, or where the State department, bureau, division, officer, board or commission shall have refused to furnish him with any information or data that he may require for the execution of his duties under this Act, or where said order or requisition, or said bill or statement of indebtedness involves

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any transaction or item not in accordance with law; but the Auditor shall have no right to refuse his approval except on the grounds aforesaid.

Provided that nothing in this section shall apply to the Governor of this State, or to the judicial department thereof, or to the principal or interest of any obligations of the State.

Section 9. No order or requisition shall be made, and no engagement entered into, and no expense incurred by any State department, bureau, division, officer, board or commission, which will result in an expenditure of money in excess of the appropriation made to such State department, bureau, division, officer, board or commission. No obligation incurred by any official or employee in violation of this section shall impose any liability upon this State.

Section 10. No greater sum than is necessary to meet expenses then incurred shall be drawn from the Treasury of this State for or on account of any State department, bureau, division, officer, board or commission; provided, however, that any State department, bureau, division, officer, board or commission authorized to expend any moneys on behalf of this State, may have money advanced to it from the State Treasury, in such sums and subject to such rules and regulations as the Auditor of Accounts may determine, for the following purposes and subject to the following conditions: To carry out provisions of law requiring weekly payments of wages, to secure cash discounts wherever possible, and to pay necessary expenses incurred by any of its officials or employees, when obliged to travel in the discharge of their duties. For other purposes, there may be advanced to it sums not exceeding One Hundred and Fifty Dollars (\$150.00) at any one time.

To secure such an advance, the head of the State department, bureau, division, officer, board or commission desiring the same must certify in duplicate to the Auditor what amount is needed, that it is needed for immediate use, and, as specifically as may be, the purposes for which the expenditure is required. The Auditor and State Treasurer shall deal with such certificates in the same

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manner as with bills or statements of indebtedness as in this Act provided.

In case of any such advance, the person or official making the certificate as aforesaid, shall within thirty days after receipt of an advance, file with the Auditor a detailed statement of the amounts expended with vouchers therefor and all advances so made shall be accounted for and vouchers therefor filed with the State Auditor before December first in each year.

Provided further that it shall be lawful for the State Treasurer during the last month of the fiscal year to set aside, out of the moneys appropriated but unexpended, a sum sufficient to pay all bills for which requisitions have been issued in accordance with the provisions of this Act during the said fiscal year, but which remain unpaid, provided the Auditor shall certify to him during said month that such requisitions have been made, and against what appropriations, and that the Auditor desires the setting aside of sufficient funds to pay the same; and moneys so set aside shall not be deemed or held to lapse or revert at the end of such fiscal year.

Section 11. If a check of the Treasury Department is spoiled and becomes useless, a note of such fact shall be made on the stub thereof, and the check shall be cancelled and handed to the Auditor, who shall file same in with the bills and vouchers hereinbefore provided for, and shall enter the same in a book as hereinbefore provided with respect to bills and statements of indebtedness.

Section 12. The Auditor of Accounts shall keep a distinct account, under appropriate heads, of all receipts and expenditures of State moneys. He shall keep a like account of all State property and of all debts and obligations due to and from the State.

For such purpose he shall have free access to the books and papers, dockets and records of the several State departments, bureaus, divisions, officers, boards or commissions receiving or expending any State money.

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Section 13. It shall be the duty of every State department, bureau, division, officer, board or commission to furnish the Auditor of Accounts in the month of December in each year with a distinct statement in writing of all property of the State under the control or jurisdiction of the said State department, bureau, division, officer, board or commission, and the cost price of such of said property as shall have been purchased by such State department, bureau, division, officer, board or commission within the twelve months next preceding said statement, and the estimated value of such other property as was purchased prior to said time. Such statement shall be certified to by the head of the State department, bureau, division, officer, board or commission making the same.

In the year of 1921, two statements shall be furnished to the Auditor as aforesaid, one in the month of June and the other in the month of December.

Section 14. It shall be the duty of all State departments, bureaus, divisions, officers, boards or commissions to furnish the Auditor of Accounts in the month of December of each year with an itemized statement of their pay rolls for the twelve months next preceding. Such itemized statement of their pay rolls shall be certified to by the head of the State department, bureau, division, officer, board or commission furnishing the same.

In the year 1921 itemized statements of their pay rolls as aforesaid shall be furnished in the month of June and in the month of December.

Section 15. It shall be the duty of every State department, bureau, division, officer, board, commission or institution to furnish the Auditor of Accounts in the month of December in each year with a detailed statement of all moneys collected by such State department, bureau, division, officer, board, commission or institution for the use of such State department, bureau, division, officer, board, commission or institution, or for the use of the State. Provided, however, that nothing in this section contained shall be construed to repeal the provisions of any law now in force

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authorizing any State department, bureau, division, officer, board, commission or institution to deduct from any moneys collected as aforesaid, any costs, fees or expenses which they are now entitled by law to deduct.

The Auditor of Accounts shall keep every such report on file in his office and shall make a record in a suitable book procured for that purpose of the essential data contained in every such report.

Section 16. No transfer of funds from one item of account to another on the books of any State department, bureau, division, officer, board or commission shall be made without the written approval of the Auditor of Accounts.

Section 17. It shall be the duty of the Auditor of Accounts at least annually to settle the accounts of every State department, bureau, division, officer, board or commission. The time and place for making such settlement shall be fixed by the Auditor, and he shall give at least six days notice thereof by mail to the State department, bureau, division, officer, board or commission affected. The Auditor may adjourn such settlement to another time or place.

He shall have power on such settlement, to add items to any account, to make corrections therein, and to settle the same according to justice; but no allowance shall be made without a voucher.

He shall also have power to command and compel persons to appear before him and give evidence or produce books, papers and writings; and for that purpose to issue process of subpoena and of attachment, and to commit to prison. He may make an order for the payment of costs and enforce obedience by attachment and imprisonment. For the purposes of this Act, he may administer oaths, and in such case, false swearing shall be deemed to be perjury and shall be punishable as such.

It shall be the duty of the Auditor to cancel with a cancelling

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stamp every voucher exhibited to and used by him at any settlement of accounts which he is required by law to make, and he is hereby authorized and directed to procure a suitable cancelling stamp for that purpose.

Section 18. Upon the discovery of any delinquency in any State department, bureau, division, office, board or commission, the Auditor of Accounts shall forthwith report the same to the Attorney General who shall thereupon take appropriate action in the premises.

Section 19. By and with the approval of the Governor, the Auditor of Accounts shall have the right to employ accountants, expert bookkeepers, stenographers and additional clerks to assist him in the examination of the books and accounts of any State department, bureau, officer, board or commission and in settling the accounts thereof, provided that the amount expended under this section shall not in any one year exceed the sum of Ten Thousand Dollars (\$10,000.00) ; and provided further that nothing in this section contained shall be deemed to authorize the employment of any accountant, expert bookkeeper, stenographer, additional clerk, or other assistant except only in the examination and auditing of the books and accounts of State departments, bureaus, divisions, officers, boards or commissions, and only for the period of such examination and audit.

Section 20. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved March 30, A. D. 1921.

CHAPTER 31

STATE DETECTIVES

AN ACT to amend Chapter 18 of the Revised Code of the State of Delaware, as amended by Chapter 42, Volume 29, Laws of Delaware, relating to the salaries of the State Detectives.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That Chapter 18 of the Revised Code of the State of Delaware, as amended by Chapter 42, Volume 29, Laws of Delaware, be and the same is hereby amended by striking out all of 566, Section 2, and inserting in lieu thereof the following, to be known as 566, Sec. 2:

"566. Sec. 2. POWERS; DUTIES AS TO REQUISITIONS; SALARY; OATH OF OFFICE:—They shall have authority to make arrests and serve writs anywhere in the State.

They, or one of them, or any member of the police force of the City of Wilmington, shall, when so requested by the Governor or the Attorney General, serve requisitions made by the Governor, and for this shall not receive any compensation, except their actual expenses. Such expenses shall be paid by the State Treasurer, upon the production of vouchers, approved by the Attorney General and the Secretary of State.

The State Detective residing in the City of Wilmington shall receive a salary of Two Thousand Dollars (\$2000) per annum, and the two other State Detectives shall each receive a salary of Eighteen Hundred Dollars (\$1800) per annum, payable in equal monthly instalments by the State Treasurer out of any funds in his hands not otherwise appropriated, upon the certificate of the Attorney General that they have faithfully performed the duties of their office during the preceding month.

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Before entering upon the duties of their office they shall be duly sworn to faithfully discharge the duties of their office according to the best of their ability."

Approved March 31, A. D. 1921.

CHAPTER 32

INSURANCE DEPARTMENT

CORPORATE SURETYSHIP

AN ACT to amend Chapter 20 of the Revised Code of the State of Delaware as heretofore amended relating to corporate suretyship; by making it lawful for a Surety Company to execute a bond or other undertaking or obligation by an agent regularly authorized in such behalf and countersigned by its regularly authorized resident agent in the State of Delaware.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 20, as amended, of the Revised Code of Delaware, be and the same is hereby amended by repealing 627. Sec. 56 of said Chapter and substituting in lieu thereof the following Section to be styled 627. Sec. 56.

627. Sec. 56. CORPORATE SURETYSHIP SUFFICIENT; WHEN:—Whenever any bond, undertaking, recognizance or other obligation is by law or the charter, ordinances, rules or regulations of any municipality, board, body, organization or public officer, required or permitted to be made, given, tendered or filed with surety or sureties, and whenever the performance of any act, duty or obligation, or the refraining from any act, is required or permitted to be guaranteed, such bond, undertaking, obligation, recognizance or guarantee may be executed by a surety company qualified to act as surety or guarantor as hereinafter provided; and such execution by such company of such bond, undertaking, obligation, recognizance or guarantee shall be in all respects a full and complete compliance, with every requirement of every law, charter, ordinance, rule or regulation that such bond, undertaking, obligation, recognizance or guarantee shall be executed by one surety or by one or more sureties, or that such sureties shall be residents or freeholders, either or both, or possess any other qualification, and shall be accordingly accepted and treated.

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Every such corporation, qualified to act as surety or guarantor as hereinafter provided, is fully invested with power to execute and deliver bonds insuring the fidelity of persons holding positions of responsibility and trust, public or private, of becoming sole surety in any case where, by law, a bond or bonds with one or more sureties may be required or permitted for any legal purpose whatsoever, including the case of surety upon contracts, public and private official bonds, including bonds of all State, County and Municipal officers, and cases pending in any of the courts of this State, except bail bonds in criminal cases.

Any public officer or department of State, County or Municipal government, whose duty it may or shall hereafter be to approve the surety upon any bond or bonds, may in his or their discretion, accept and approve such bonds when executed by the principal therein, and any surety company qualified to act as surety or guarantor as hereinafter provided. The Levy Court, of the several counties of this State, is authorized in its discretion to accept such bonds as security for Collectors of county Taxes in lieu of the security provided for by the laws of this State.

Provided that every such bond, undertaking, obligation, recognition or guarantee, shall be executed on behalf of the said surety company, either by its regularly authorized officers, or its regularly authorized agent in that behalf, and countersigned by its regularly authorized resident agent in the State of Delaware, and all premiums due to said surety company therefor shall be paid to said resident agent and shall be subject to any and all taxes levied upon such premiums under the laws of the State of Delaware.

Approved March 31, A. D. 1921.

CHAPTER 33

STATE BOARD OF AGRICULTURE

AN ACT to amend Chapter 21 of the Revised Code of the State of Delaware in reference to the State Board of Agriculture.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 21 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 651. Sec. 2 thereof and by inserting in lieu thereof the following new Section to be styled 651. Sec. 2:

651. Sec. 2. COMPENSATION; EXPENSES; APPROPRIATION; QUORUM; MEETINGS; PRESIDENT:—The Commissioners of Agriculture shall each receive as compensation for their services the sum of ten dollars per day and actual traveling expenses, provided they shall not exceed fifty days in each year. Ten Thousand Dollars annually shall be appropriated by the General Assembly for said Board. At all meetings of said Board a quorum for the transaction of any and all business that may come before the Board shall consist of any two of the Commissioners. The Board shall meet at least once in every three months at such place or places as they may select. The first meeting of the Board shall be held within ten days after the qualification of the Commissioners, and at said meeting the Board shall elect one of its members as President.

Section 2. That Chapter 21 of the Revised Code of the State of Delaware be and the same is hereby further amended by striking out and repealing the whole of Article 3 thereof.

Section 3. That Chapter 21 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 683. Sec. 34 thereof.

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Section 4. That Chapter 21 of the Revised Code of the State of Delaware be and the same is hereby further amended by repealing 684. Sec. 35. thereof and by inserting in lieu thereof the following new section to be styled 684. Sec. 35.

684. Sec. 35. DUTIES OF; REGULATIONS:—It shall be the duty of the State Board of Agriculture to protect the health of the domestic animals of the State, to determine and employ the most efficient and practical means for the prevention, suppression, control or eradication of dangerous, contagious or infectious diseases among the domestic animals, and for these purposes it is authorized and empowered to establish, maintain, enforce and regulate such quarantine and other measures relating to the movements and care of animals and their products, the disinfection of suspected localities and articles and the destruction of animals, as it may deem necessary, and to adopt from time to time all such regulations as may be necessary and proper for carrying out the purposes of Sections 35 to 41, inclusive, of this Chapter; provided however, in the case of any slowly contagious diseases, only suspected or diseased animals shall be quarantined.

Section 5. That Chapter 21 of the Revised Code of the State of Delaware be and the same is hereby further amended by repealing 687. Sec. 38. thereof and by inserting in lieu thereof a new Section to be styled 687. Sec. 38:

687. Sec. 38. VIOLATION OF REGULATIONS OR INTERFERENCE WITH OFFICERS; MISDEMEANOR; PENALTY:—Any person or persons wilfully violating any of the provisions of Sections 35 to 39, inclusive of this Chapter, or any regulations of the State Board of Agriculture, or wilfully interfering with officers appointed under Sections 34 to 39 inclusive of this Chapter, shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding one month, or both, at the discretion of the Court.

Section 6. That Chapter 21 of the Revised Code of the State of Delaware be and the same is hereby further amended by repealing 688. Sec. 39. thereof and by inserting in lieu thereof the following new Section to be styled 688. Sec. 39.

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688. Sec. 39. ASSISTANTS OR AGENTS; SUPPLIES; OATHS OF APPRAISERS; EXAMINATION AS TO CONTAGIOUS DISEASES; MILK; MEAT:—The State Board of Agriculture is empowered to appoint and employ such assistants and agents, and to purchase such supplies and materials as may be necessary in carrying out the provisions of Sections 34 to 39 inclusive of this Chapter. The Board and the members thereof are empowered to administer oaths or affirmations to the appraisers appointed under Section 36 of this Chapter. They may order and conduct such examinations into the conditions of the live stock of the State in relation to contagious diseases, including the milk and meat supplies of cities, towns, boroughs and villages, as may seem necessary, and take proper measures to protect such milk and meat supplies from contamination.

Section 7. That Chapter 21 of the Revised Code of the State of Delaware be and the same is hereby further amended by repealing 697 A. Sec. 48 A., 697 B. Sec. 48 B., 697 D. Sec. 48 D., 697 E. Sec. 48 E. 697 F. Sec. 38 F. and 697 G. Sec. 48 G., and by inserting in lieu thereof the following new Sections:

697 A. Sec. 48 A. That the State Board of Agriculture be authorized to pay out of the funds appropriated by the Legislature of the State of Delaware one-half of the difference between the appraised value and the salvage of all cattle that may be condemned for tuberculosis by the State Board of Agriculture or a Veterinarian of the U. S. Bureau of Animal Industry working in co-operation with the State Board of Agriculture, and all cattle which may be condemned for tuberculosis shall be appraised in a manner prescribed by the State Board of Agriculture, provided that out of the money hereby appropriated no payment as compensation for any tuberculosis animal destroyed shall exceed two-thirds of the difference between the appraised value of such animal and the value of the salvage thereof; and that in no case shall any payment hereunder be more than one hundred and twenty-five dollars for any grade animal or more than one hundred and fifty dollars for any pure bred animal, and no payment shall be made unless the owner has complied with all lawful quarantine regulations.

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697 B. Sec. 48 B. Cattle which have reacted to the tuberculosis test or show marked diagnostic symptoms of tuberculosis shall be condemned and disposed of as directed by the State Board of Agriculture. Owners of cattle that have reacted to the tuberculin test or that have been condemned by a Representative of the State Board of Agriculture or of the United States Bureau of Animal Industry are privileged to dispose of said animals in such ways as shall be approved by the State Board of Agriculture and to receive for them their salvage value.

697 E. Sec. 48 E. That for the purpose of defraying the expenses and services of competent Veterinarians in charge of this work, and to pay to the owners of cattle which have reacted to the tuberculin test or have been condemned by a representative of the State Board of Agriculture or of the United States Bureau of Animal Industry, the sum of fifty thousand dollars annually is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated.

697 F. Sec. 48 F. No payment shall be made for any animals destroyed on account of tuberculosis unless the owner has complied with all quarantine and other regulations that may be agreed upon by the United States Bureau of Animal Industry and the State Board of Agriculture, and unless the owner shall have executed the forms required by these regulations.

697 G. Sec. 48 G. Claims shall not be allowed arising out of the condemnation of cattle for tuberculosis on a tuberculin test applied by other than a representative detailed by the State Board of Agriculture or of the United States Bureau of Animal Industry.

Section 8. That Chapter 21 of the Revised Code of the State of Delaware be and the same is hereby further amended by adding thereto the following new section to be styled 697 I. Sec. 48 I:

697 I. Sec. 48 I. THE STATE BOARD OF AGRICULTURE SHALL ESTABLISH A BUREAU OF MARKETS AND MARKETING AND IT SHALL BE THE DUTY OF SAID BUREAU :—To investigate the cost of production and marketing in all its phases.

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To gather and disseminate information concerning supply, demand, prevailing prices, and commercial movements, including common and cold storage of food products.

To promote, assist and encourage the organization and operation of co-operative and other associations and organizations for improving the relations and services among producers, distributors and consumers of food products.

To have power to make rules and regulations for the grading, packing, handling, storage and sale of all food products within the state, not contrary to law and to enforce such rules and regulations by actions or proceedings in any court of competent jurisdiction.

To investigate the practice and methods and any specific transaction of commission merchants and others who receive, solicit, buy, handle on commission, or otherwise, food products.

To act as mediator or arbitrator, when invited, in any controversy or issue that may arise between producers and distributors and which affect the interest of the consumer.

To act on behalf of the consumer in conserving and protecting their interests in every practicable way against excessive prices.

To act as market adviser for producers and distributors, assisting them in economical and efficient distribution of food products at fair prices.

To encourage the establishment of retail municipal markets and to develop direct dealing between producers and consumers.

To encourage the consumption of Delaware grown products within the state; to inspect and determine the grade and condition of farm produce both at collecting and receiving centers; and all expenses incurred pursuant to this act shall be paid from funds appropriated for the use of the State Board of Agriculture.

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To take such means and use such powers, relative to shipment, transportation and storage of food stuffs of any kind, as may be necessary and as it may deem advisable or desirable in case of emergency creating or threatening to create a scarcity of food within the state.

Section 9. That Chapter 21 of the Revised Code of the State of Delaware be and the same is hereby further amended by adding thereto the following new section to be styled 697J. Sec. 48 J:

697 J. Sec. 48 J. The term "commercial feeding stuffs" shall be held to include all feeding stuffs, together with all condimental and patented proprietary feeds used for feeding live stock and poultry, except unmixed whole seeds or grains; the unmixed meals made directly from the entire grains of corn, wheat, rye, barley, oats, buckwheat, flaxseed, kafir and milo; corn and oats feed made by grinding together the pure grains of corn and oats; wheat, rye and buckwheat brans or middlings when unmixed with other materials; whole hays, straws, ensilage and corn stover when unmixed with other materials, and all other materials containing sixty per cent or more of water.

Every lot or parcel of commercial feeding stuffs sold, offered or exposed for sale, or distributed within this State shall have affixed thereto a tag or label, in a conspicuous place on the outside, containing a legible and plainly written statement in the English language, clearly and truly certifying:

(a) The net weight of the contents of the package, lot or parcel:

(b) The name, brand or trademark;

(c) The name and principal address of the manufacturer or person responsible for placing the commodity on the market;

(d) The minimum percentage of crude protein allowing one per cent of nitrogen to equal six and one-quarter per cent of protein;

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- (e) The minimum percentage of crude fat;
- (f) The maximum percentage of crude fibre;
- (g) The specific name of each ingredient used in its manufacture.

Before any manufacturer, importer, jobber, firm, association, corporation or person shall sell, offer or expose for sale or distribute in this State any commercial feeding stuffs, he shall file with the State Board of Agriculture a certified copy of the statement specified in this act for each brand of commercial feeding stuffs; said certified copy to be accompanied, when the State Board of Agriculture shall so request, by a sealed package containing at least one pound of the commercial feeding stuffs, to be sold, offered or exposed for sale or distributed in this State, and the company or persons furnishing said sample shall thereupon make an affidavit that the said sample is representative of the commercial feeding stuffs, offered for registration.

The manufacturer, importer, agent or seller of any brand of commercial feeding stuffs as defined in this act shall pay to the Secretary of the State Board of Agriculture at the time he filed the sworn statement as required by this act, a registration fee of one dollar per annum for each brand of commercial feeding stuffs sold, offered or exposed for sale in this State.

On or before the fifth day of January of each year every manufacturer or vendor of feeding stuffs shall file under oath with the State Treasurer a statement showing the number of tons of feeding stuffs that he has sold in this State during the preceding year, and shall pay to the said State Treasurer for the use of the State the sum of ten cents for every ton of feeds so sold. Whenever the manufacturer, importer, agent or seller of any commercial feeding stuffs shall have complied with the requirements of this section the State Board of Agriculture shall issue or cause to be issued a license permitting the sale of said feeding stuffs, which license shall terminate on December 31, following the date of issue. Whenever any commercial feeding stuffs as defined in this act is offered or exposed for sale in bulk or otherwise stored,

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the manufacturer, importer, jobber, firm, association, corporation or person keeping the same for sale shall keep on hand cards upon which shall be printed the statement required by the provision of this act, and when such feeding stuffs is sold at retail, in bulk or in packages belonging to the purchaser, manufacturer, importer, jobber, firm, association, corporation or person shall furnish the purchaser, upon request, with a card or cards upon which appears a statement required by the provisions of this act.

The State Board of Agriculture shall have the power to refuse to license any commercial feeding stuffs under a name, brand or trademark which should be misleading or deceptive, or which would tend to mislead or deceive as to the materials of which it is composed or when the specific name of each and all ingredients used in its manufacture is not stated. It shall also have the power to refuse to license more than one commercial feeding stuff under the same name or brand when offered by the same manufacturer, importer, jobber, firm, association, corporation or person. Should any commercial feeding stuffs be licensed in this State and it is afterwards discovered that such license is in violation of any of the provisions of this act, the said Board shall have the power to cancel such license. The State Board of Agriculture shall have the power to refuse to allow a manufacturer, importer, jobber, firm, association, corporation, or person to lower the guaranteed analysis or change the ingredient of any brand of his or their commercial feeding stuffs during the term for which licensed, unless reasons satisfactory to the said Board are presented for making such change or changes.

Whenever a manufacturer, importer, jobber, firm, association, corporation, or person manufacturing or selling a brand of commercial feeding stuffs, shall have filed the statement required by this act and pay the license fee, as required by this act, no other agent, importer, jobber, firm, association, corporation or person shall be required to file such statement or pay such fee upon such brand.

Any authorized agent or agents of the State Board of Agriculture shall have free access, during reasonable business hours,

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to all places of business, mills, buildings, carriages, cars, vessels and parcels of whatsoever kind used in the manufacture, transportation, sale or storage of any commercial feeding stuffs and shall have the power and authority to open any parcel containing or supposed to contain any commercial feeding stuffs, and upon tender and full payment of the selling price of said sample, for the purpose of procuring a sample of suitable size for analysis, from each and every lot or parcel of commercial feeding stuffs being sold, offered or exposed for sale: Provided, That said sample shall be taken in the presence of the person or agent having the feeding stuff in charge and said sample shall be taken from not less than five separate original packages in the lot, in which case a portion shall be taken from each original package; if the commercial feeding stuffs is in bulk, portions shall be taken from not less than five different places in the lot unless the manner in which the commercial feeding stuffs is stored prohibits, in which case, portions shall be taken from as many places as practicable. If the sample thus secured is larger than is required, it shall be mixed and quartered until a sample of suitable size remains.

At least one sample of each brand of commercial feeding stuffs sold, offered or exposed for sale in the state, secured in the manner described in this act shall be analyzed annually under the direction of the State Board of Agriculture and the results of such analysis shall be promptly submitted to the manufacturers or persons responsible for placing the commodities on the market, and shall be published in reports or bulletins from time to time together with such additional information as the said Board may deem advisable. The manufacturers or persons responsible for the placing of any commodity on the market shall, upon request to the State Board of Agriculture be furnished with a portion of the official sample of that commodity. The methods of analysis shall be those enforced at the time by the association of official agricultural chemists of North America.

If it appears that any of the provisions of this Act have been violated, the State Board of Agriculture shall certify the facts to the prosecuting officer of the county in which the violation has occurred, together with a copy of the

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results of the analysis or the examination of such feeding stuffs duly authenticated by the analyst or other officer making the determinations under oath of said officer: Provided, that in such case, said Board shall first cause notice of such apparent violation to be given to the manufacturer or dealer from whom said sample was taken; any party so notified shall be given an opportunity to be heard in his defense under such rules and regulations as may be prescribed by the State Board of Agriculture before the facts shall be certified to the prosecuting officer. In all prosecutions arising under the provision of this act certificates of the analyst or other officer making the examinations or analysis, when duly sworn to by such officer, shall be prima facie evidence of the fact or facts therein certified.

Any manufacturer, importer, jobber, firm, association, corporation or persons who shall impede, obstruct, hinder or otherwise prevent or attempt to prevent any duly authorized agent of the State Board of Agriculture in the performance of his duty in connection with the provisions of this act, or who shall sell, offer or expose for sale, or distribute in this State any commercial feeding stuffs as defined in this act without complying with the requirements of the provisions of this act, or who shall sell, offer or expose for sale or distribute in this State any commercial feeding stuffs which contains a smaller percentage of crude protein or crude fat, or a larger percentage of crude fibre than is certified to be contained therein, or who shall fail to properly state the specific name of each and every ingredient used in its manufacture shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than one hundred dollars for the first offense, and not less than two hundred dollars for each subsequent offense. Any manufacturer, importer, jobber, firm, association, corporation or person who shall mix or adulterate any feeding stuffs with any substance or substances injurious to the health of live stock or poultry, shall be deemed guilty of a misdemeanor, and in addition to the penalty provided in this section the lot of feeding stuffs shall be liable to seizure, condemnation and sale, as the court may direct; the proceeds from such sale to be covered into the State Treasury. The Court may in its discretion release the feeding stuffs so seized when the requirements of

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the provisions of this act have been complied with, and upon payment of all costs and expenses incurred by the State in any proceedings connected with such seizure.

The State Board of Agriculture is hereby empowered to enforce the provisions of this act and to prescribe and enforce such rules and regulations relating to the sale of commercial feeding stuffs as may be deemed necessary to carry into effect the full intent and meaning of this act.

Section 10. All moneys appropriated to the Peninsula Horticultural Society, under 677, Sec. 28, of Chapter 21, of the Revised Code, and all moneys appropriated for Farmers' Institutes under said Chapter 21, and all moneys appropriated for the Delaware Corn Growers Association, under said Chapter 21, shall be payable only on warrants drawn by the President or Chairman, and Secretary of the State Board of Agriculture; and the State Board of Agriculture is hereby authorized, empowered and directed to examine into and verify all the items of expenditure proposed for any of said appropriations, and nothing shall be paid out of any of said appropriations unless approved by the State Board of Agriculture.

Approved April 7, A. D. 1921.

CHAPTER 34

STATE BOARD OF AGRICULTURE

AN ACT to amend Chapter 21 of the Revised Code of the State of Delaware, and repealing Article 3 of said chapter.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That Chapter 21 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing all of the sections of said Chapter designated as 678, Sec. 29; 679, Sec. 30; 680, Sec. 31; 681, Sec. 32, and 682, Sec. 33, the same being all of Article 3 of said Chapter, and all the powers conferred by the said sections, and all the appropriations created thereby be and the same are hereby revoked, annulled and repealed.

Approved March 14, A. D. 1921.

CHAPTER 35

STATE BOARD OF AGRICULTURE

AN ACT to amend Chapter 21 of the Revised Code by repealing 697 C, Sec. 51 thereof, relating to the State Experimental and Demonstration Farm in Sussex County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 21 of the Revised Code be and the same is hereby amended by repealing and striking out from said Chapter the Section designated 697 C, Section 51.

Section 2. That all powers conferred by the said Section be and they are hereby revoked, annulled and repealed.

Approved March 28, A. D. 1921.

CHAPTER 36

STATE BOARD OF AGRICULTURE

AN ACT providing for the protection of the public health, and the prevention of fraud and deception, by regulating the weighing, testing, buying, and selling of milk and cream; providing for the examination and appointment of certified testers, and the issuing of licenses and making of tests; and providing penalties.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. "That every creamery, shipping station, milk factory, cheese factory, ice cream factory, or milk condensary, or person, receiving, buying, paying for, and selling milk or cream, on the basis of, or with reference to, the amount of butterfat contained therein, shall be required to hold a permit. The permit shall be issued to such creamery, shipping station, milk factory, cheese factory, ice cream factory, condensary, or person, by the State Board of Agriculture. The permit shall be valid for a term of one calendar year, and shall be revoked by the State Board of Agriculture for violation of the provisions of this act. This provision shall not apply to individuals buying milk or cream for private use, or to hotels, restaurants, boarding houses, railroad dining cars, or drug stores.

Section 2. It shall be unlawful for any person, association, co-partnership, or corporation, their agents or servants, engaged in the business of buying milk or cream on the basis of, or in any manner with reference to, the amount or percentage of butterfat contained therein, to underread, overread, or otherwise fraudulently manipulate the test, commonly known as the "Babcock test," used for determining the percentage of such fat in said milk or cream, or to falsify the record thereof, or to make the "Babcock" reading except when the fat has a temperature of one hundred thirty degrees to one hundred forty-five degrees Fahrenheit, or to use for such test quantities other than

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seventeen and six-tenths (17.6) cubic centimeters in the case of milk, and nine (9) grams or eighteen (18) grams in the case of cream. In all tests of cream, the cream shall be weighed and not measured into the test bottle.

Section 3. No person, association, co-partnership, or corporation, purchasing milk or cream, and paying for the same, on the basis of the percentage of butterfat contained therein, shall, if the percentage of butterfat is ascertained by the said "Babcock test," use any test glassware except standard Babcock test glassware. If the proportion of butterfat is determined by any method other than the "Babcock test," no utensil or instrument shall be used in such determination until the same has been inspected and approved by the State Board of Agriculture.

Section 4. Every person, association, co-partnership, corporation, or agent or servant thereof, engaged in the business of receiving or buying milk or cream on the basis of, or in any way with reference to, the amount of butterfat contained therein, as determined by the "Babcock test," shall have the samples taken, and said test or tests made, only by a certified tester, who shall supervise and be responsible for the same. For the purpose of this act, a "certified tester" is any person who, having furnished satisfactory evidence of good character, and having passed a satisfactory examination in milk and cream testing conducted by the Agricultural Department of Delaware College, shall have received a certificate of proficiency from the said department. Each applicant for such certificate shall pay a fee of three dollars (\$3.00) to said department, in such manner as its regulations may prescribe, to defray the cost of the required examination and of the certificate. The said department shall issue such certificate of proficiency in the name of the approved applicant and under serial number, and shall maintain a correspondingly numbered register of all such certificates issued under this act. This certificate shall be forwarded by the said department to the State Board of Agriculture, who shall issue a license to said applicant, good for one calendar year, on the payment of a fee of two dollars (\$2.00) to the State Board

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of Agriculture. This license shall be renewed annually, without further examination, at the discretion of the State Board of Agriculture, upon the payment of two dollars. All moneys so collected shall be used to meet the expenses of the Department of Agriculture. Each certified tester shall post his license in plain view in the testing room in which he is employed. The State Board of Agriculture shall revoke said license for failure to post it as above required or for any other just cause.

Section 5. Any person, association, co-partnership or corporation, engaged in the business of buying milk or cream on the basis of, or in any way with reference to, the amount or percentage of butterfat contained therein, as determined by the "Babcock test," shall make such test of milk or cream bought from each person at least once every sixteen days. The milk or cream purchased from each person shall be represented by a composite sample, taken from each of the several lots of milk or cream bought from said person, and shall cover a period of not more than sixteen days. The composite samples, to which a suitable preservative has been added, shall be made up of aliquot parts taken from each of the several lots of milk or cream bought from each person concerned, and composite samples of all persons concerned shall cover the same period of time. Each composite sample shall be plainly labeled with the name of the person whose milk or cream the composite sample represents, and with the date of the first and last day of the period of time covered by the said composite sample. After such samples have been tested, their residues shall be kept intact on the premises for a further period of not less than ten days, in order to make possible a check test. The State Board of Agriculture is hereby authorized to make check tests whenever in its judgment such tests are for the public welfare.

Section 6. No percentage of fat ascertained from a sample, containing milk or cream, that has been so treated as to cause it to test lower or higher than the test of the milk or cream from which it was taken, shall be used as a basis of payment for milk or cream purchased or sold. No composite sample shall be tested for use as a basis for payment of milk,

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which has been kept more than fifteen days after such composite sample has been completely taken.

Section 7. No person, association, co-partnership, or corporation, purchasing or selling milk or cream, or both, by weight, and no agent or servant of any such person, association, co-partnership, or corporation, shall fraudulently use, as the basis of payment for such purchase, any weight other than the true weight of the milk or cream so purchased or sold.

Section 8. The State Board of Agriculture and its agents are hereby authorized to enter the premises, and to examine the books and records and testing apparatus, of any person, association, co-partnership, or corporation, for the purpose of carrying out the provisions of this act.

Section 9. The State Board of Agriculture shall be charged with the enforcement of the provisions of this act. Nothing contained in this section shall be construed to prevent any individual from prosecuting any one violating any of the provisions of this act.

Section 10. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not more than one hundred dollars (\$100.00), or imprisonment in the county jail for not more than thirty days, or both, in the discretion of the court.

Section 11. All fines and penalties imposed and received for the violation of any of the provisions of this act, shall be paid to the State Board of Agriculture, or its agent, and shall thereafter be paid into the State Treasury for the use of the Commonwealth.

Section 12. This act shall take effect June first one thousand nine hundred and twenty-one, but all necessary examina-

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tions shall have been held, and all licenses and permits issued, a suitable length of time previous to the above date.

Section 13. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved April 7, A. D. 1921.

CHAPTER 37

STATE BOARD OF AGRICULTURE

AN ACT providing for the Babcock Test in testing cream and milk for butter fat; and defining the term "Standard Babcock Glassware."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That upon the approval of this Act every person, firm, company, association, corporation, or agent thereof, engaged in the business of buying milk or cream on the basis of, or in any manner with reference to, the amount of percentage of butterfat contained therein, as determined by the "Babcock test", shall use standard "Babcock" bottles, pipettes, and weights, as defined in section two of this act. All such Babcock test bottles, pipettes, and weights, so used, shall have been inspected for accuracy by the State Board of Agriculture, or its proper officer or agent, and shall be legibly and indelibly marked by the said State Board of Agriculture, or its inspectors of weights and measures, with the letters "S. G. D." (Standard Glassware Delaware), and no Babcock bottle, pipette, or weight, shall be used for such test unless so examined and marked by the said inspectors of weights and measures. It shall be unlawful for any person, persons, firm or company, association, corporation, or any agents, to use any other than standard test bottles, pipettes, and weights, which have been examined and marked as provided in this section, to determine the amount of fat in milk or cream bought on the butterfat basis as determined by the Babcock test.

Section 2. The term "Standard Babcock Testing Glassware" shall apply to glassware and weights complying with the following specifications:

(a) Standard Milk Test Bottles.

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Graduation. The total per centum graduation shall be eight. The graduated portion of the neck shall have a length of not less than sixty-three and five-tenths millimeters (two and one-half inches). The graduation shall represent whole per centum, five-tenths per centum, and tenths per centm. The tenths per centum graduation shall not be less than three millimeters in length; the five-tenths per centum graduations shall be one millimeter longer than the tenths per centum graduations, projecting one millimeter to the left; the whole per centum graduations shall extend at least one-half way around the neck to the right and projecting two millimeters to the left of the tenths per centum graduations. Each per centum graduation shall be numbered, the number being placed on the left of the scale. The error at any point of the scale shall not exceed one-tenth per centum.

Neck. The neck shall be cylindrical, and the cylindrical shape shall extend for at least nine millimeters below the lowest and above the highest graduation mark. The top of the neck shall be flared to a diameter of not less than ten millimeters.

Bulb. The capacity of the bulb up to the junction of the neck shall not be less than forty-five cubic centimeters. The shape of the bulb may be either cylindrical, or conical with the smallest diameter at the bottom. If cylindrical, the outside diameter shall be between thirty-four and thirty-six millimeters; if conical, the outside diameter of the base shall be between thirty-one and thirty-three millimeters, and the maximum diameter between thirty-five and thirty-seven millimeters.

The charge of the bottle shall be eighteen grams.

The total height of the bottle shall be between one hundred and fifty and one hundred and sixty-five millimeters (five and seven-eighths and six and one-half inches).

(b) Standard Cream Test Bottles.

Three types of bottles shall be accepted as standard cream

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test bottles: a fifty per centum, nine gram, short-neck bottle; a fifty per centum, nine gram, long-neck bottle; and a fifty per centum, eighteen gram, long-neck bottle.

Fifty per centum, nine gram, short-neck bottles:

Graduation. The total per centum graduation shall be fifty. The graduated portion of the neck shall have a length of not less than sixty-three and five-tenths millimeters (two and one-half inches). The graduation shall represent five per centum, one per centum, and five-tenths per centum. The five per centum graduations shall extend at least half way around the neck to the right. The five-tenths per centum graduation shall be at least three millimeters in length, and the one per centum graduation shall have a length intermediate between the five per centum and the five-tenths per centum graduations. Each five per centum graduation shall be numbered, the number being placed on the left of the scale. The error at any point of the scale shall not exceed five-tenths per centum.

Neck. The neck shall be cylindrical, and the cylindrical shape shall extend at least nine millimeters below the lowest, and nine millimeters above the highest graduation mark. The top of the neck shall be flared to a diameter of not less than ten millimeters.

Bulb. The capacity of the bulb up to the junction of the neck shall not be less than forty-five cubic centimeters. The shape of the bulb may be either cylindrical, or conical, with the smallest diameter at the bottom. If cylindrical, the outside diameter shall be between thirty-four and thirty-six millimeters; if conical, the outside diameter of the base shall be between thirty-one and thirty-three millimeters, and the maximum diameter between thirty-five and thirty-seven millimeters.

The charge of the bottle shall be nine grams. All bottles shall bear on top of the neck, above the graduations, in plainly legible characters, a mark defining the weight of the charge to be used (nine grams).

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The total height of the bottle shall be between one hundred and fifty and one hundred and sixty-five millimeters (five and seven-eighths and six and one-half inches), same as standard milk test bottles.

Fifty per centum, nine gram, long-neck bottles:

The same specifications in every detail as specified for the fifty per centum, nine gram, short-neck bottle, shall apply for the long-neck bottle, with the exception, however, the total height of this bottle shall be between two hundred and ten and two hundred and thirty-five millimeters (eight and one-fourth and eight and seven-eighth inches), and that the total length of the graduation shall not be less than one hundred and twenty millimeters.

Fifty per centum, eighteen gram, long-neck bottles:

The same specifications in every detail as specified for the fifty per centum, nine gram, long-neck bottles, except that the charge of the bottle shall be eighteen grams. All bottles shall bear, on the top of the neck, above the graduation, in plainly legible characters, a mark defining the weight of the charge to be used (eighteen grams).

(c) The Standard Babcock Pipette.

Total length of pipette, not more than three hundred and thirty millimeters (thirteen and one-fourth inches). Outside diameter of suction tube, six to eight millimeters.

Length of suction tube, one hundred and thirty millimeters. Outside diameter of delivery tube, four and five-tenths to five and five-tenths millimeters. Length of delivery tube, one hundred to one hundred and twenty millimeters. Distance of graduation mark above bulb thirty to sixty millimeters. Nozzle, straight. Delivery, seventeen and six-tenths cubic centimeters of water at twenty degrees centigrade in five to eight seconds.

(d) Standard Weights.

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The standard weights shall be of nine (9) grams and eighteen (18) grams denominations. .

Section 3. Any person violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00), and pay the costs of prosecution.

Section 4. The State Board of Agriculture of the State of Delaware, through its inspectors of weights and measures, shall be charged with the enforcement of the provisions of this Act.

Approved April 7, A. D. 1921.

CHAPTER 38

STATE LIVESTOCK SANITARY BOARD

AN ACT to appropriate money for the purpose of securing Anti-Hog Cholera Serum and Virus.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The sum of three thousand dollars be and the same is hereby appropriated out of any money in the State Treasury to be used for the purpose of purchasing anti-hog cholera serum and virus.

Section 2. The said sum of three thousand dollars shall be paid out by the State Treasurer upon warrants drawn by the President of the State Livestock Sanitary Board and attested by the Secretary.

Section 3. The anti-hog cholera serum and virus purchased under the provisions of this Act shall be sold at cost, for cash, to veterinarians and farmers requiring the same for immediate use, and the Livestock Sanitary Board shall make re-purchases with the said fund from time to time, so as to keep on hand a stock of said serum and virus. No veterinarian receiving serum and virus under the provisions of this Act shall charge a fee greater than fifty cents per head for inoculation, and for any violation of this clause a veterinarian may be denied further supplies of serum and virus.

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\$5.00 nor more than \$50, the same to be recovered before any Justice of the Peace of the State of Delaware, and from whose decision there shall be no appeal. All fines recovered under this Act shall be paid to the Treasurer of the State, and applied to the General Fund of the State.

The sum of \$5,000 is hereby annually appropriated to the State Board of Health of Delaware for the carrying into effect of the provisions of this section out of any funds in the hands of the State Treasurer not otherwise appropriated. The said appropriation shall be known as the Diphtheria Anti-Toxin Appropriation, and the State Board of Health shall keep the accounting for said appropriation as a distinct and separate account from other appropriations which they receive.

Approved April 7, A. D. 1921.

CHAPTER 41

STATE BOARD OF HEALTH

AN ACT TO AMEND Chapter 25, of the Revised Code of Delaware relating to Certificates of Births; Contents of.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 808, Section 73 of Chapter 25 of the Revised Code of Delaware be and the same is hereby amended by adding at the end of said section the following new subsection, viz:

“(21) Details concerning prophylactic used to prevent inflammation of the eyes.”

Section 2. That said Chapter be further amended by adding the following to be known as 808 A, Section 73 A.

“808 A, Section 73 A. The reverse side of the birth certificate shall have printed thereon at least a summary of every section of the law in force relating to birth registration and prophylactics against inflammation of the eyes of the New-Born.”

Approved March 28, A. D. 1921.

CHAPTER 42.

STATE BOARD OF HEALTH

AN ACT to amend Chapter 51, Volume 29, Laws of Delaware, in relation to the use of a prophylactic against inflammation of the eyes of the New-Born.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That Chapter 51, Volume 29, Laws of Delaware, be and the same is hereby amended by repealing Section 3 thereof and by inserting in lieu thereof the following section:

Section 3. It shall be the duty of physicians, midwives or other persons in attendance upon cases of childbirth to use either a 2% solution of silver nitrate, or a 10% solution of argyrol or a 1% solution of protargol as a prophylactic against inflammation of the eyes of the new-born and to make record of the prophylactic used and to endorse the details thereof on every Birth Certificate.

Approved March 28, A. D. 1921.

CHAPTER 43.

STATE BOARD OF HEALTH

AN ACT authorizing the State Board of Health to employ a nurse to educate and supervise the midwives of the State.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The State Board of Health is hereby authorized to employ a registered trained nurse to educate and supervise the midwives of the State. Such nurse shall devote her entire time under the general direction of the State Board of Health, to an investigation of the methods employed by the midwives, to instructing the midwives so that they will not be a menace to the life and health of either mother or infant, to an investigation of deaths following midwife cases, to an investigation of all violations of the laws by midwives and to an investigation of the reports of births throughout the State.

Section 2. To enable the provisions of this Act to be carried out there is hereby annually appropriated to the Board of Health of the State of Delaware out of any funds in the hands of the State Treasurer not otherwise appropriated the sum of Two Thousand Dollars (\$2,000).

Approved April 4, A. D. 1921.

CHAPTER 44.

THE DELAWARE STATE TUBERCULOSIS COMMISSION

AN ACT making additional appropriations to the Delaware State Tuberculosis Commission for the years 1921 and 1922.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That, in addition to the appropriations under Chapter 26, of the Revised Code, as amended by Chapter 53, of Volume 29, Laws of Delaware, there is hereby appropriated to the Delaware State Tuberculosis Commission for the years 1921 and 1922, the sum of Twenty-five Thousand Dollars per year, which appropriations under this Act shall be paid as other State appropriations to said Commission, and may be used for any of the things for which any of the other State appropriations to said Commissions may be used.

Approved April 7, A. D. 1921.

CHAPTER 45

STATE BOARD OF PHARMACY

AN ACT to amend Chapter 28 of the Revised Code of the State of Delaware by changing the time and manner of re-registering pharmacists and assistant pharmacists, and the use of titles relating to pharmacy.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 28 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of 865, Sec. 10, and inserting in lieu thereof the following new section, to be styled, 865, Sec. 10:

865, Sec. 10. If the applicant for license as a pharmacist or assistant pharmacist has complied with all the requirements of the two preceding sections, the Board of Pharmacy shall enroll his name upon the register of pharmacists or assistant pharmacists, and issue to him a license which shall entitle him to practice as pharmacist or assistant pharmacist for the remainder of that calendar year.

All licenses heretofore issued shall expire at the end of thirty days after the passage of this Act and within the said thirty days all pharmacists and assistant pharmacists shall make application to the Secretary of the Board of Pharmacy for a renewal of license, which renewal shall expire on the first day of January, 1922.

On or before the first day of January, 1922, and each year thereafter, all pharmacists and assistant pharmacists shall make application to the Secretary of the State Board of Pharmacy for a renewal of license. The Board of Pharmacy may refuse to grant a license to any person guilty of felony, misdemeanor or gross immorality, or who is addicted to the use of alcoholic liquors or narcotic drugs to such an extent as to render him

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unfit to practice pharmacy; the Board of Pharmacy may, after due notice and hearing, revoke a license for like cause, or any license which has been procured by fraud.

An appeal from the action of the Board in refusing to grant, or in revoking a license for such cause may be taken to the Governor and Attorney General, the decision of which officers, either affirming or overruling the action of the Board, shall be final.

Section 2. That Chapter 28 of the Revised Code of the State of Delaware be and the same is further amended by striking out all of 872, Sec. 17 of said Chapter, and by inserting in lieu thereof the following new section, to be styled, 872, Sec. 17:

872, Sec. 17. TITLE OF PHARMACIST, ASSISTANT PHARMACIST, DRUGGIST AND APOTHECARY, PHARMACY OR MEDICINE STORE; USE OF REGULATED:—It shall be unlawful for any person not legally licensed as a pharmacist, to take, use or exhibit the title of pharmacist, or licensed or registered pharmacist, or the title druggist, or apothecary, or pharmacy or medicine store, or any other title or description of like import; and it shall be unlawful for any person not legally licensed as an assistant pharmacist, to take, use or exhibit the title of assistant pharmacist, or any other title or description of like import.

Provided that nothing in this Chapter shall be construed to prohibit the use of the phrase, "proprietary medicine store", or the use of the phrase, "patent medicine store."

Approved March 16, A. D. 1921.

CHAPTER 46

STATE BOARD OF EXAMINERS OF GRADUATE NURSES

AN ACT entitled "An Act to amend Section 879 of Chapter 29 of the Revised Code of the State of Delaware so as to amend the requirements for applicants for registration as Graduate Nurses."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 879, Chapter 29 of the Revised Code of the State of Delaware be amended by striking out in lines 4, 5 and 6 in said section the words, "Where three years of training with a systematic course of instruction is given in the hospital and that he or she has received the equivalent of a high school education" and by inserting in lieu thereof the words, "where at least two years of training with a systematic course of instruction is given in surgical, medical, obstetrical and pediatric nursing and that he or she has received one year of high school education or its equivalent," so that said Section 879 shall read as follows:

"Section 4. REQUIREMENTS FOR APPLICANTS:—The applicant shall furnish satisfactory evidence that he or she is twenty-one years of age, is of good moral character, and has graduated from a training school connected with a general hospital where at least two years of training with a systematic course of instruction is given in surgical, medical, obstetrical and pediatric nursing and that he or she has received one year of a high school education or its equivalent or shall pass an examination in collateral subjects satisfactory to said Board."

Approved April 4, A. D. 1921.

CHAPTER 47.

STATE BOARD OF EXAMINERS OF UNDERTAKERS

AN ACT to amend Chapter 32 of the Revised Code of the State of Delaware, by increasing the certificate and annual fees to undertakers, and by striking out the provisions in relation to the issuance of certificates to non-residents.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That Chapter 32 of the Revised Code of the State of Delaware be, and the same is hereby amended by striking out 911 Sec. 4 of said Chapter and inserting in lieu thereof the following:

"911. Sec. 4. EXAMINATIONS; CERTIFICATE; FEES: Any other person who shall desire to engage in the undertaking business in this State, or any other person who shall desire to assist in the conduct or management of said business, in this State, shall appear at the time hereinafter provided for, before said Board of Examiners, and any other firm or corporation who shall desire to engage in said undertaking business in this State shall cause one of the members of such firm, or corporation to appear before said Board of Examiners at the time hereinafter provided for, and such person so appearing shall be examined with reference to his or her knowledge and skill in the undertaking business, and if the examination of such person so appearing shall prove satisfactory to said Board of Examiners, the said Board, if they shall find that such person so examined, possesses the requisite qualifications, shall issue to such person or to such firm or corporation a certificate to that effect in accordance with the provisions of this Chapter, and upon payment of the sum of Twenty-five (\$25.00) Dollars. Such person, firm or corporation shall pay annually to said Board of Examiners the sum of Two Dollars for the renewal of said certificate. All certificates issued by said Board shall be signed by its officers, and said certificates granted as aforesaid shall be prima facie evidence of the right of the

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holder to engage in the undertaking business in the State of Delaware, or to assist in the conduct or management of said business."

Section 2. That Chapter 32 of the Revised Code of the State of Delaware be, and the same is hereby further amended by striking out 916 Sec. 9 thereof.

Approved May 17, A. D. 1921.

CHAPTER 48.

STATE BOARD OF ACCOUNTANCY

AN ACT to amend Chapter 37 of the Revised Code of the State of Delaware in relation to the State Board of Accountancy and Certified Public Accountants and abolishing the present State Board of Accountancy and providing for the appointment of a new board.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the State Board of Accountancy as now constituted be and the same is hereby abolished and the offices of the present members of said Board be and the same are hereby terminated.

Section 2. That Chapter 37 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out 980, Sec. 1 and 982, Sec. 3, of said Chapter and by inserting in lieu thereof two new sections to be entitled 980, Sec. 1, and 982, Sec. 3, as follows:

980, Sec. 1. STATE BOARD OF ACCOUNTANCY; APPOINTMENT; QUALIFICATIONS; TERMS OF OFFICE:—A State Board of Accountancy is established consisting of three members to be appointed by the Governor, two of whom shall be certified public accountants and the third member a practicing attorney at law in Delaware. They shall hold office for the term of three years and until their successors are appointed and qualified.

982, Sec. 3. CERTIFICATES; TO WHOM GRANTED; EXAMINATIONS; WHO MAY TAKE; HOW CONDUCTED; NOTICE OF; HOW OFTEN HELD; RULES AND REGULATIONS:—No certificate as a certified public accountant shall be granted to any person other than a citizen of the United States, residing or having a place for the regular transaction of business in the State of Delaware, who is over the age of twenty-one years and of good moral character,

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and, except under the provisions of Section 4 of this Chapter, who shall have successfully passed an examination in theory of accounts, practical accounting, auditing and commercial law as affecting accountancy, and in such other subjects as the Board may deem advisable.

All examinations provided for herein shall be in writing and shall be conducted by the said Board of Accountancy. The time and place of holding examinations shall be duly advertised for not less than three consecutive days, in one daily newspaper published in each of the places where the examinations are to be held, not less than thirty days prior to the date of each examination.

The examination shall take place as often as may be necessary in the opinion of the Board, but not less frequently than once each year.

The Board may make all needful rules and regulations regarding the conduct of the examinations, their character or scope, the method and time of filing applications for examinations, their form and contents, and all other rules and regulations necessary to carry into effect the purpose of this Chapter.

Section 3. No person now holding a certificate as Certified Public Accountant under Chapter 37 of the Revised Code of the State of Delaware prior to the passage of this Act shall be affected by any of the provisions of this Act requiring examination.

Approved April 7, A. D. 1921.

CHAPTER 49.

COMMISSION ON DECORATION OF STATE CAPITOL

AN ACT providing for the decoration of the State Capitol at Dover by a representation in painting of some episode and scene of the War of the Rebellion in which soldiers of this State participated.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That a Commission composed of Richard G. Buckingham, Samuel S. Gray and James F. Allee, Jr., shall be and the same is hereby created, who shall serve without pay to further decorate the walls of the State House with a painting representing an episode and scene of the War of the Rebellion in which soldiers of this State participated. The said commission shall employ an artist to execute the work, with whose assistance they shall select the scene in connection with the War of the Rebellion and contract with said artist to create thereout and paint a picture for the further decoration of said walls. Such painting shall be of merit proper for such decoration and suitably placed on the walls of the State House as may be selected and arranged for by said commission. Payment for such painting and decoration shall be made on the recommendation of said Commission through its chairman out of any money in the State Treasury not otherwise appropriated; and to this end Seven Thousand and Five Hundred Dollars is hereby appropriated, to be available during the period of two years from the passage of this Act.

Section 2. Any vacancy which may occur in the Commission created by this Act shall be filled by appointment by the Governor.

Section 3. That Chapter 61, Volume 29, Laws of Delaware, "An Act providing for the Decoration of the State Capitol at Dover by representation in painting of Historical Periods, Episodes and Events in the History of our Country and of the State

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of Delaware" be and the same is hereby repealed, and any and all unexpended moneys from the appropriation of Ten Thousand Dollars by said Act is hereby covered into the treasury of the State, to the general fund.

Approved March 28, A. D. 1921.

CHAPTER 50.

SUPERVISION OF DEPENDENT CHILDREN

AN ACT to further amend Chapter 41 of the Revised Code of the State of Delaware and making provisions for the supervision of the importation of dependent children, and to repeal Sections 194 to 197 inclusive of Chapter 71 of the Revised Code of the State of Delaware, entitled, "School Laws of the State of Delaware."

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That Chapter 41 of the Revised Code of the State of Delaware, as amended, be further amended by adding the following sections:

1005 D. Section 3 D. It shall be unlawful for any person, association or corporation to bring or send, or cause to be brought or sent into the State of Delaware, any dependent child for the purpose of placing such child in any home in this State, or for the purpose of procuring the placing of such child in any home by indenture, adoption, boarding or otherwise, without first obtaining the written consent of the State Board of Charities, and giving bond, as hereinafter provided.

1005 E. Section 3 E. Before any child shall be brought into this State for any of the purposes provided in 1005 D. Section 3 D. of this Article, the person, association, or corporation desiring to bring or send any such child into this State, or the individual desiring to receive a child or both as the State Board of Charities may require, shall execute a bond to the State of Delaware in the penal sum of Three Thousand Dollars to be approved by the State Board of Charities, and to be with surety, if the said State Board of Charities shall so require. The condition of said bond shall be substantially that such person, association or corporation shall not bring or send, or cause to be brought or sent, or receive, into this State any child that is incorrigible, that is of unsound mind or body, or is mentally sub-

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normal; and that such person, association, corporation, or individual shall abide by all rules laid down by the State Board of Charities under 1005 G. Section 3 G. of this Act. If any such child shall become a public charge, or be convicted of any crime or misdemeanor before reaching the age of twenty-one years, such person, association or corporation responsible for such child, shall, within thirty days after written notice given by the State Board of Charities, remove such child from the State, and shall pay to the State, County or Municipality such sum as may have been expended in the care or prosecution of such child.

1005 F. Section 3 F. The State Board of Charities shall examine the proceedings of societies for securing homes for children, and whenever satisfied that a child has been placed by such society in an improper home, it may order its transfer to a proper one or its removal from the State; and if said order is not obeyed within thirty days, it shall itself take charge of the child, returning it to the society responsible, or otherwise providing for it. Any society failing to remove a child after such notice shall at once pay to the State such sum as the State may have expended in the care, maintenance or transportation of such child.

1005 G. Section 3 G. Any person, association or corporation placing any child under the provision of this Act shall abide by all rules made by the State Board of Charities pertaining to the rejection, importation, placing, supervision, education, health, removal and general welfare of all such children.

1005 H. Section 3 H. That for the purposes of carrying out the provisions of the foregoing sections and of 1004, Section 2 of this Chapter, an additional sum of Two Thousand Dollars is appropriated annually from any moneys in the hands of the State Treasurer, not otherwise appropriated, which shall be paid out as provided in 1005, Section 3 of this Chapter.

1005 I. Section 3 I. That any person, association or corporation, or any officer, agent or employee thereof, who shall violate any of the provisions of the foregoing Sections, 1005 D. Section 3 D. to 1005 G. Section 3 G. inclusive, shall be guilty of a mis-

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demeanor and upon conviction thereof shall be fined not less than Fifty Dollars or more than One Hundred Dollars, and any such person, association or corporation, or officer, agent or employee thereof who shall continue to disregard any of the provisions of the said sections for a period of ten days after notification from the State Board of Charities shall be guilty of a new, separate and distinct offense and misdemeanor, and upon conviction thereof shall be fined for each such offense not less than One Hundred Dollars or more than One Thousand Dollars.

1005 J. Section 3 J. That Section 194 to 197 inclusive, of Chapter 71 of the Revised Code of the State of Delaware, entitled, "School Laws of the State of Delaware," and all other Acts inconsistent herewith be and the same are hereby repealed.

Approved April 19, A. D. 1921.

CHAPTER 51.

STATE HIGHWAY DEPARTMENT

AN ACT authorizing and directing the State Treasurer to transfer a certain fund in his custody to the credit of the State Highway Department.

WHEREAS, Coleman du Pont Road, Incorporated, was duly organized as a Boulevard Corporation, under the General Corporation Law of this State, for the purpose of constructing a boulevard from the southerly boundary of the State to a point at or near the City of Wilmington, and at the time of its creation, deposited with the State Treasurer, in compliance with the provisions of said General Corporation Law, the sum of Fifty Thousand Dollars, being Five Hundred Dollars for each mile of the estimated length of said boulevard, and which said sum, so deposited, is required to be repaid, at the rate of Five Hundred Dollars per mile, as any section not less than ten miles in length of said Boulevard is completed; and

WHEREAS, the sum of Fourteen Thousand Dollars has been repaid to the said Coleman du Pont Road, Incorporated, under the provisions of said General Corporation Law, by the State Treasurer of this State, as the custodian of said fund, and there now remains of said original deposit in the custody of the said State Treasurer the sum of Thirty-six Thousand Dollars; and

WHEREAS, when the said Coleman du Pont Road, Incorporated had completed or was engaged in constructing 28.91 miles of the vehicular road required to be constructed as a part of said Boulevard, the General Assembly of this State created the State Highway Department of this State and gave to it the power and jurisdiction over the construction and maintenance of State Highways; and

WHEREAS, the said Coleman du Pont Road, Incorporated, then believing that it would be more satisfactory to the people of the State to have the vehicular road that had been projected by

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it completed under the supervision and direction of the State Highway Department rather than by a private corporation, agreed to abandon its project of completing said road and Coleman du Pont at the same time agreed, that if the State Highway Department would complete the same, he would pay all the expenses thereof; and

WHEREAS, upon receiving propositions from the said Coleman du Pont Road, Incorporated, and from the said Coleman du Pont to the above effect, the State Highway Department accepted the same and subsequently entered into a written agreement with the said Coleman du Pont Road, Incorporated, and the said Coleman du Pont under which the latter agreed to pay for the completion of the continuation of the said road so as aforesaid previously constructed by the said Coleman du Pont Road, Incorporated; and

WHEREAS, the said Coleman du Pont did subsequently create a trust fund and thereby provided the funds for the completion and carrying out of his said contract; and

WHEREAS, the said State Highway Department is now engaged in completing said road and expects to complete the construction thereof during the current year; and

WHEREAS, it is deemed just and proper that the said balance of Thirty-six Thousand Dollars remaining in the custody of the State Treasurer out of the original deposit so as aforesaid made by the said Coleman du Pont Road, Incorporated, should be applied toward the completion of the said road, for the completion of which it was originally deposited as a guarantee and upon the completion of which it was required to be repaid to the depositor;

Now, therefore, be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the State Treasurer of the State of Delaware be and he hereby is authorized and directed to transfer to the credit of the State Highway Department the sum of Thirty-

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six Thousand Dollars remaining in the custody of the State Treasurer out of the original deposit of Fifty Thousand Dollars made with him by Coleman du Pont Road, Incorporated, and the said State Highway Department shall be and it is hereby authorized and directed to apply said sum of Thirty-six Thousand Dollars toward the cost of constructing the State Highway hereinabove referred to.

Approved March 28, A. D. 1921.

CHAPTER 52.

STATE HIGHWAY DEPARTMENT

AN ACT to amend Chapter 63, of Volume 29, Laws of Delaware, and relating to the State Highway Department.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 63, of Volume 29, Laws of Delaware, be and the same is hereby amended by striking out all of Sections 2 and 3 of said chapter, and by substituting in lieu thereof, new Sections 2 and 3, as follows:

“Section 2. That there is hereby created a State Department to be known as the “State Highway Department,” which shall consist of the Secretary of State and four other members. On or before the first day of May, 1917, the Governor shall appoint four suitable persons, who, together with the Secretary of State, shall be members of said department. The members so appointed shall be, during their terms of office, citizens of the State of Delaware, and one shall be a resident of the City of Wilmington, one a resident of New Castle County, outside of said City, one a resident of Kent County and one a resident of Sussex County. Those members who are to be resident members of the respective districts shall be designated by the Governor in their appointment. Upon making said appointments, the Governor shall certify the same to the Secretary of State and to the appointees. The terms of office of the first appointees as members of said department shall be from the first day of May, 1917, as follows:

“The member resident in the City of Wilmington, two years, the member resident in New Castle County, outside of said City, four years, the member resident in Kent County, six years, and the member resident in Sussex County, eight years. After the expiration of the terms of office aforesaid, the Governor shall

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appoint members of the Department for the full term of eight years. Of the members appointed by the Governor not more than two shall belong to the same political party. In case of a vacancy in the Department for any reason, the Governor shall fill said vacancy for the unexpired term.

"Section 3. Within thirty days after the appointment of the members aforesaid, they shall convene at the State Capitol at Dover, at a time to be fixed by the Governor and organize by electing one of their members Chairman. Before entering upon the duties of the office, each member shall take and subscribe an oath or affirmation as prescribed in Article XIV, of the Constitution. Such oath or affirmation shall become one of the records of the Department. Three members shall constitute a quorum, and, except as herein otherwise provided, a majority of the members present and constituting a quorum, shall be sufficient for any action by the Department. The Secretary of State shall have no vote except in the event of a tie vote in the department."

Approved April 4, A. D. 1921.

CHAPTER 53.

STATE HIGHWAY DEPARTMENT

AN ACT to amend Chapter 63, Volume 29, Laws of Delaware, as amended by Chapter 69, Volume 30, Laws of Delaware; State Highway Department.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch concurring therein) :

Section 1. That Chapter 63, Volume 29, Laws of Delaware, as amended by Chapter 69, Volume 30, Laws of Delaware, be and the same is hereby amended by striking out all after the seventieth line of Section 5 of said Chapter 63, Volume 29, Laws of Delaware, and inserting in lieu thereof, the following:

“When in the judgment of the State Highway Department, the route for the construction or reconstruction of any state highway should continue through any incorporated town within this State, the Department shall construct and maintain said highway through such incorporated town, such construction and maintenance to be at the sole expense of the Department.

“Whenever the Department shall construct a State Highway through any such incorporated town, it shall not change the widths of the street or streets of said town, except with the consent of the duly constituted governing body of said town.

“Whenever the Department shall construct a State Highway through any such incorporated town, it shall have the whole and sole control over such construction and over the maintenance of said highway through said town, and such highway, shall not be undermined, broken, opened or any wise torn up for any purpose whatsoever by any person whatsoever, except by the permit in writing of the Department.

“Any and all contracts and agreements at any time hereto-

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fore made between the State Highway Department and the duly constituted governing body of any incorporated town with reference to the construction and maintenance of any highways through any incorporated town within this State be and the same are hereby annulled, cancelled and made of no effect."

Approved March 31, A. D. 1921.

CHAPTER 54.

STATE HIGHWAY DEPARTMENT

AN ACT to amend Chapter 63, Volume 29, Laws of Delaware, entitled "An Act to create a State Highway Department establishing a system of State highways and providing for the improvement and maintenance thereof, and the appropriating and borrowing money therefor," by appropriating certain moneys to the said State Highway Department.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members elected to each House concurring) :

Section 1. That Chapter 63, Volume 29, Laws of Delaware, be and the same is hereby amended by repealing Section 14 and Section 15 thereof and by inserting in lieu thereof the following sections to be known as Section 14 and Section 15:

Section 14. All moneys received by the State Treasurer under the provisions of Sections 197, 199 and 201 of Chapter 6, of the Revised Code for the registration of motor vehicles and licensing the operators thereof are hereby appropriated for the year 1921 and annually thereafter for the uses and purposes of said department during that year during which said motor vehicles are registered and operators thereof licensed upon the payment of the fees required by law therefor. Any money appropriated herein and received to the credit of the department in one year if unexpended during the said year, shall continue and be for the credit and use of the department and shall not be returned to the general fund. In addition to the foregoing, the sum of One Hundred and Fifty Thousand Dollars is hereby appropriated annually beginning with the year 1921, for the uses and purposes of the said department out of the general fund and the said sum shall be credited by the State Treasurer to the said department annually beginning with the year 1921 and shall be disbursed by him as other moneys appropriated for the uses and purposes of the said Department, provided only so much of said appropriation shall be used in any one year as will with the

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revenues received from the licenses of automobiles provide a fund for the use of the said Department not exceeding Four Hundred and Seventy-five Thousand Dollars.

From the moneys appropriated for the uses and purposes of the said department, the State Treasurer shall annually deduct such an amount as shall be necessary to pay the interest on all bonds issued under the provisions of this Act, and such money so deducted shall be so used by the State Treasurer. The State Treasurer shall also annually deduct from said moneys so appropriated an amount equivalent to two and one-half per centum of the amount of said bonds so issued under the provisions of this Act, which said last mentioned amount so deducted shall be paid into the sinking fund of the State for the liquidation of the principal debt of said bonds.

Section 15. The said department shall within thirty days after the passage of this amendment prepare a budget for the year 1921 and shall upwards of thirty days before the thirty-first day of December of each year prepare a budget for the next succeeding year. It shall estimate the probable amount of revenue which it will have for its use during 1921 and each succeeding year from all sources basing its estimate for the budget of 1921 upon available appropriations of the General Assembly and the revenues and experiences of the year 1920 and for each succeeding year upon available appropriations of the General Assembly and the revenues and *experiences of the year during which the budget shall be made. It shall estimate the probable cost of maintenance of its organization, such as the salaries of its regular and usual employees, its offices and the expenses thereof, and such other expenses as are commonly known as overhead expenses; and the fixed charges, if any, of any State highways constructed or reconstructed from the proceeds of bonds issued under the provisions of any Act relating to the said department, itemized; and the estimated costs of maintenance of any State highways which have not been constructed or reconstructed from the proceeds of such bonds. If there is any excess of revenue for the year 1921 or for such succeeding year, estimated as aforesaid, the said department may proceed to ascertain what amount

*So enrolled.

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of money, if any, such excess of revenue will warrant being borrowed for the construction or reconstruction of state highways. No amount shall be borrowed greater than an amount upon which such excess of revenue will pay the fixed charges on such highways as it is proposed to construct or reconstruct from the proceeds of bonds proposed to be issued. If it should be found that such excess of revenue warrants the borrowing of any money, and the budget is certified to by a certified public accountant selected by the department and approved by the Auditor of Accounts, the said department shall certify to the Governor, the Secretary of State and State Treasurer, the said budget and the certification of such accountant and the amount which said excess of revenue shall warrant to be borrowed, and the said Governor, Secretary of State and State Treasurer shall, and they are hereby authorized and directed to sell, execute and deliver bonds in conformity with the provisions of this Act, to an amount so certified by the department as warranted to be borrowed, upon the further request of said department, that bonds to such amount be sold.

If, at the end of any year there are any moneys resulting from annual appropriations unexpended and to the credit of the department, it may use such moneys for any of the purposes of this Act, but it shall not include the amounts of such moneys in ascertaining the excess of revenue in its budget.

Approved April 7, A. D. 1921.

CHAPTER 55.

STATE HIGHWAY DEPARTMENT

AN ACT to amend Chapter 63, Volume 29, Laws of Delaware, as amended by Chapter 70, Volume 30, Laws of Delaware, and providing for the building and maintaining of public roads and highways through incorporated towns in Sussex County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 63, Volume 29, Laws of Delaware, as amended by Chapter 70, Volume 30, Laws of Delaware, be and the same is hereby amended by adding immediately after Section 21 of said Chapter, as amended, the following:

“Section 22. That whenever in the judgment of the State Highway Department, and the Levy Court or other body having jurisdiction over the expenditure of money for highway improvement in Sussex County the route for the construction or reconstruction of any highway in said County should continue through any incorporated town within said County, the said State Highway Department and the Levy Court or other body having jurisdiction over the expenditure of money for highway improvement in Sussex County shall construct and maintain said highway through such incorporated town, such construction to be made in accordance with the provisions of said Chapter 63, Volume 29, as amended by Chapter 70, Volume 30, Laws of Delaware.

Whenever any road or highway shall be so constructed through any such incorporated town there shall be no change made in the width of the street or streets of said town, except with the consent of the duly constituted governing body of said town.

Whenever any such road or highway shall be constructed

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through any such incorporated town it shall be under the sole control and maintained by the State Highway Department in accordance with the provisions of said Chapter 63, Volume 29, Laws of Delaware, as amended by Chapter 70, Volume 30, Laws of Delaware, and such highway shall not be undermined, broken, or any wise torn up for any purpose whatsoever by any person whatsoever, except upon a permit in writing from said Department.

Any and all contracts and agreements at any time heretofore made between the State Highway Department and the Levy Court or other body having jurisdiction over the expenditure of money for highway improvement in Sussex County and the duly constituted governing body of any incorporated town in Sussex County with reference to the construction and maintenance of any highways through any such incorporated towns be and the same are hereby annulled, cancelled and made of no effect."

Approved March 28, A. D. 1921.

CHAPTER 56.

STATE HIGHWAY DEPARTMENT

AN ACT to amend Chapter 213, of Volume 30, Laws of Delaware, and relating to the use of highways in certain periods.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That Chapter 213, of Volume 30, Laws of Delaware, be and the same is hereby amended by adding thereto a new section after Section 11 thereof, said new section to be designated as, Section 11 A, as follows:

"Section 11 A. During certain periods of the year when the sub-grade of the state highways are saturated, either due to long continued rains, or to continued freezing and thawing, which causes the sub-grade to be in a weakened and unstable condition, due to the excess of moisture, all trucks shall be limited to fifty per centum of the weight of the load capacity as specified by the manufacturer of the truck.

"These periods of the year shall be determined by the State Highway Department, and due and satisfactory notices shall be given to truck users, by posting notices on the roads and by advertisements in the daily press, and by such other means as said Department may adopt.

"The period of so regulating truck traffic shall be only when the sub-grade is in its most unstable condition, and when likely to cause damage to the road surface by the commercial trucks."

Approved March 28, A. D. 1921.

CHAPTER 57.

STATE HIGHWAY DEPARTMENT

AN ACT providing for the draining of the right of way of highways constructed by the State Highway Department.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That, for the purpose of draining the right of way of any highway constructed by the State Highway Department, the Department is hereby authorized and empowered to make contracts and agreements with any ditch company or corporation, now established or hereafter to be established, with respect to the cleaning of ditches, or widening, deepening or extending ditches; and for this purpose the said Department is authorized and empowered to pay a fair and proportionable part of the expense thereof, the expense to be mutually agreed upon before the work is undertaken; and provided that the said ditch company or corporation shall levy taxes sufficient to pay its fair and proportionable part of said expense, and provided that the work of cleaning, widening, deepening and extending said ditches shall be under the supervision of said Department.

Approved March 28, A. D. 1921.

CHAPTER 58.

STATE HIGHWAY DEPARTMENT

AN ACT to acquire by gift, devise, grant, purchase or condemnation, land and water rights and to place structures thereon as a part of the State Highway System and providing for the cost thereof.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The State Highway Department is hereby invested with full power and authority to acquire for the state, by gift, devise, grant, purchase or condemnation, for public use, land and water rights on the Delaware Bay Shore at Lewes, or vicinity, as may be determined by the State Highway Department, or its successors in power, and to place thereon structures and building and the erecting or purchase of a pier or piers, wharves or docks, for the landing of boats, for the carrying and transportation of automobiles, vehicles and passengers, plying between said pier or piers, docks or wharves, and Cape May City or vicinity in the State of New Jersey.

Section 2. The said land or water rights, when acquired, and the said pier or piers, wharves or docks, when purchased or erected, shall become a part of the State Highway System of this State, and shall be under the supervision and control of the said Highway Department, or such other body as may succeed the said State Highway Department, and when such pier or piers, wharves and docks have been acquired or erected, shall be maintained by the State out of the funds appropriated, raised or collected for the use of the said State Highway Department.

Section 3. The building, erecting and constructing of said piers, wharves or docks, as situate within the territorial jurisdiction of Delaware, shall be subject to the laws of the State of Delaware, as such laws apply to the constructing of any public

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highway in this State, when State money is used in the construction of the whole or a part of any such highway.

Section 4. The said State Highway Department shall not expend any money for said land or water rights, or for the building or erecting of said pier or piers, wharves or docks until the State of New Jersey, or citizens thereof, shall have arranged for the erecting of a pier or piers, wharves or docks at Cape May City, New Jersey, or its vicinity, to be used for the purposes provided for in this Act.

Section 5. The State Highway Department may purchase a boat or boats and operate the same either independently or jointly with the State Highway Commission of the State of New Jersey to transport passengers, vehicles and automobiles from and to the pier or piers, wharves or docks at Cape May City, New Jersey, or vicinity.

Section 6. The State Highway Department shall arrange for a sufficient fee or toll for the carrying of passengers, vehicles and automobiles on said boats and to make such rules and regulations as may be necessary to carry out the objects and purposes of this act, either independently or jointly with the State Highway Commission of the State of New Jersey, and the revenue as to the share of this State shall be paid to the State Treasurer to be used as a part of the State Highway.

Section 7. For carrying into effect the provisions of this Act the sum of Fifteen Thousand Dollars (\$15,000) is hereby appropriated to the State Highway Department out of any moneys in the State Treasury not otherwise appropriated, which shall be paid by the State Treasurer on the draft of the said Department.

Approved April 7, A. D. 1921.

CHAPTER 59.

STATE HIGHWAY DEPARTMENT

AN ACT authorizing the appointment of certain Notaries Public for the State Highway Department.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That, in addition to the Notaries Public now provided by law in the several counties, the Governor shall appoint four employees of the State Highway Department, one residing in New Castle County, one residing in Kent County, and two residing in Sussex County, Notaries Public, to hold office not exceeding two years. The said Notaries Public shall have no authority to exercise their office, or to take affidavits or acknowledgments except on documents and papers for the benefit of the State Highway Department, and for which they shall make no charge. Whenever any such person appointed Notary Public shall cease to be an employee of the State Highway Department, his authority as such Notary Public shall cease, and thereupon the Governor may appoint another employee of the State Highway Department a Notary Public in his place.

Approved March 28, A. D. 1921.

CHAPTER 60.

STATE BOARD OF CHARITIES

AN ACT to provide for the indigent sick of New Castle County.

Be it enacted by the Senate and House of Representatives in General Assembly:

Beginning July 1, A. D. 1921, the Levy Court of New Castle County, is hereby authorized to annually appropriate a sum of money to care and provide for the indigent sick of New Castle County. Any and all hospitals located in New Castle County are hereby authorized to accept, treat and care for any indigent sick resident of New Castle County and to furnish proper medical care and attention.

Every hospital accepting and caring for any such indigent shall keep correct records of the expenses in the manner and forms prescribed by the State Board of Charities and monthly shall submit to the State Board of Charities a record of the number of indigent sick treated, the names and residences of each patient, the day received and the day discharged and an itemized list of expenses in the form provided by the State Board of Charities.

The State Board of Charities shall carefully examine all bills and lists and is hereby given full power to make proper inquiry as to such bills and lists and to examine the accounts of every hospital treating indigent sick in New Castle County. Upon approval of the lists and bills by the State Board of Charities the said Board shall so certify and monthly shall transmit such lists and bills to the Levy Court of New Castle County.

THE SAID LEVY COURT IS HEREBY AUTHORIZED in its discretion to pay bills bearing the approval of the State Board of Charities, and in the case of the exhaustion of any fund set aside by the Levy Court for the purposes of this Act, to transfer from

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any other fund or funds a sufficient sum or sums to fully carry out the purposes of this Act, provided, however, that the said Levy Court shall in no case, or for any reason whatsoever, pay within six weeks more than three dollars a day as the total expenses for the care and treatment of any patient in any hospital.

All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 28, A. D. 1921.

CHAPTER 61.

STATE REVENUE COLLECTOR

AN ACT further extending the powers of the Collector of State Revenue when commissioned as a Notary Public.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That from and after the passage and approval of this Act, the Collector of State Revenue, when commissioned as a Notary Public, may, in addition to the notarial work connected with his office, also act as Notary Public in all matters connected with the office of the Collector of the Port.

Approved March 23, A. D. 1921.

CHAPTER 62.

COMMISSION FOR COLLECTING

DIRECT TAX PAID TO U. S. GOVERNMENT

AN ACT providing for the propounding and prosecution of a claim by and in the name of the State of Delaware against the Government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said Government of all moneys heretofore paid illegally into the Federal Treasury as a direct tax upon property situated in the State of Delaware, providing for the recovery of same, authorizing the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this Act, providing for notice to and procedure by claimants of such moneys and fixing a prescription period after which such moneys shall escheat to and become the absolute property of the State of Delaware.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Governor of the State be and he is hereby directed to propound to and against the Government of the United States of America and to prosecute to collection a claim by and in the name of the State of Delaware for all moneys heretofore paid illegally into the Federal treasury as a direct tax upon property situated in the State of Delaware.

Section 2. That if the Governor of the State finds that there is no Federal statute or law now existing providing for the payment of such funds into the treasury of the State of Delaware, he is hereby directed to seek, in such manner as to him shall appear necessary and proper, legislation at the hands of the Congress of the United States, providing for the payment of such moneys into the treasury of the State of Delaware.

Section 3. That all such moneys, so collected and paid by the Government of the United States, shall be paid into the Treasury of the State of Delaware, less the commission for the collection thereof, and shall be held by the State of Delaware for a period of five years in trust for the claimants of such funds.

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Section 4. That the Governor is hereby authorized to employ counsel who shall be two persons not of the same political party, and to enter into the necessary contracts and agreements with such counsel for the propounding and prosecution of such claim against the Government of the United States of America, and fixing the commission to be allowed said counsel for such work, such commission to be contingent upon the collection of such moneys from the United States and to be payable out of same, and not to exceed the ten per centum thereof, provided that the State shall incur no cost or expense in the propounding or prosecution of such claim other than such commission.

Section 5. That upon receipt of such funds from the United States by the Treasurer of the State of Delaware, it shall be his duty to give notice to all claimants thereof by publication once each week for a period of eight successive weeks in a newspaper published in each of the Counties of the State of Delaware, which notices shall set forth that such moneys have been collected and shall notify all claimants of same to propound their claims in writing by filing same with the Treasurer of the State of Delaware, and shall warn all claimants and persons interested therein that a failure so to file their claims within a period of two years from the date on which such moneys were paid into the Treasury of the State of Delaware, shall forever bar their right to such funds or any part thereof, and that in default of the filing of such claims such funds shall escheat to and become the absolute property of the State of Delaware.

Section 6. That all such claimants of such moneys shall file their claims in writing with the State Treasurer of Delaware on such forms as shall be provided and shall submit their proofs and evidence to a commission to be known as the Direct Tax Commission, which is hereby created, and shall be composed of the Governor, the Treasurer and the Auditor of Accounts of the State of Delaware. If such claims are approved by said Commission, the Auditor of Accounts of the State of Delaware shall draw a warrant on the Treasurer of the State of Delaware, payable to the order of such claimant and the Treasurer shall pay such war-

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rants out of the funds so collected from the Government of the United States and held in trust for such purpose. Either such claimants or the State of Delaware through its Attorney General may appeal from the decisions of the Direct Tax Commission to the Superior Court of the State of Delaware for the County in which the claimant resides.

Section 7. That at the end of a period of five years from the date on which said moneys so collected from the United States shall be paid into the treasury of the State of Delaware, said funds, to the extent to which no claims have been filed against same, shall escheat to and become the absolute property of the State of Delaware. Said funds, to the extent that any claims have been filed against same, shall remain in the State Treasury subject to the final determination of such claims and all such funds not finally determined to belong to the claimants thereof shall at that time escheat to and become the absolute property of the State of Delaware.

Section 8. That this Act shall take effect and be in force from and after the date of its approval.

Approved April 18, A. D. 1921.

CHAPTER 63

CHILD WELFARE COMMISSION

AN ACT to create a Child Welfare Commission for the State of Delaware.*

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. In order that the State of Delaware may serve the welfare of its children adequately, there is hereby created a "Child Welfare Commission." The Commission shall consist of nine (9) members, who shall serve without pay, except for traveling and administrative expenses. On, or before the tenth day of April, 1921, the Governor shall appoint the members of said Commission to take office on the tenth day of April, 1921, as follows:—One from the State of Delaware at large for a term of five years; two from the City of Wilmington for the terms of one and two years respectively; two from New Castle County outside of the City of Wilmington for the terms of two and three years, respectively; two from Kent County for the terms of three and four years, respectively; and two from Sussex County for the terms of four and five years, respectively. The term of office after the first appointments made hereunder shall be for five years, and annually on, or before the tenth day of April, the Governor shall appoint successors to fill the vacancies caused by the expirations of the terms of office. In case of vacancy caused by death, resignation, refusal to serve or otherwise, the Governor shall make appointments to fill such vacancy or vacancies, for the balance of the unexpired term. The members so appointed shall be, during their terms of office, citizens of the State of Delaware, and shall be residents of the respective districts for which they are appointed.

Section 2. Within ten days after the said tenth day of April, 1921, the members aforesaid shall convene at the State Capitol at Dover at a time to be fixed by the Governor and shall

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organize by electing officers from their members and by other regular procedure.

Section 3. It shall be the duty of the Commission to take over, and further to develop the child welfare activities conducted by the Reconstruction Commission of the State of Delaware; to maintain a traveling child health center to serve the sparsely settled sections of the State; to co-operate with State, County and local official bodies in the development of such child welfare work as the Commission may believe will materially advance the interests of the children of the State; to make every reasonable preparation to transfer various branches of its work as rapidly as possible to appropriate state agencies; to make a study of the needs of children a definite part of its work; and to make recommendations for executive and legislative action in matters relating to children.

Section 4. Every official department and public officer in the state, excepting the members of the General Assembly and the Judiciary, in possession of information relating to the purposes of this Act, shall, upon request of the said Commission, co-operate with it in carrying out the purposes of this Act.

Section 5. If any bill shall be enacted by the United States appropriating moneys to assist the states in protecting the health of mothers and children and if the Commission hereby created is doing such work at the time the said Federal aid becomes available, the Commission shall designate and authorize to be spent such portion of the appropriation carried by this act; as may be necessary to meet the offer of the Federal Government, provided that this Commission shall be recognized by the Federal body administering the said Act as the state body with which it will co-operate, and provided that only such an amount of the appropriation carried by this Act may be designated and spent for the purposes described in this section as will leave at least \$15,000.00 annually for the execution of the duties of this Commission, other than those which conform with the provisions of such a Federal Act which may be enacted.

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Section 6. The Commission shall employ such agents, assistants, clerical force and specially qualified persons as it may find necessary or expedient.

Section 7. The expenses of the members of the Commission incurred in service for the Commission shall be paid on warrants drawn by the Child Welfare Commission or authorized agent thereof on the State Treasurer and the State Treasurer is hereby authorized and directed to pay said warrants on the approval of the State Auditor from any moneys he may have belonging to the State and not otherwise appropriated.

Section 8. The sum of \$25,000.00 shall be deemed and taken to be appropriated for the year 1921, out of any moneys in the State Treasury not otherwise appropriated, for the purposes of the said Commission, and thereafter, \$25,000.00 shall be deemed and taken to be appropriated annually out of any moneys in the State Treasury not otherwise appropriated, for the purposes of the said Commission. The Child Welfare Commission shall assume the indebtedness of the Reconstruction Commission.

Section 9. The said Commission shall have the use of and become the custodian of the property bought by the Reconstruction Commission of the State of Delaware, except that the Child Welfare Commission may upon written request and receipt from any official agency which may take over any of its work, transfer the right to use, and the custody of appropriate property to such agency.

Approved April 7, A. D. 1921.

CHAPTER 64

RECONSTRUCTION COMMISSION

AN ACT repealing Chapter 66, of Volume 30, Laws of Delaware, relating to the Reconstruction Commission.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 66, of Volume 30, Laws of Delaware, be and the same is hereby repealed, to take effect on the tenth day of April, 1921.

Approved March 31, A. D. 1921.

CHAPTER 65

SURVEY COMMISSION

AN ACT repealing Chapter 264, Volume 30, Laws of Delaware, relating to a Commission to make a survey of State Government and State Offices and County Government and County Offices.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 264 of Volume 30, Delaware Laws providing for a Commission to make a survey of State Government and State Offices and County Government and County Offices be and the same is hereby repealed and all the powers conferred by the said Chapter be and they are hereby revoked, annulled and repealed.

Approved March 2, A. D. 1921.

TITLE SEVEN

County Government

CHAPTER 66

LEVY COURTS

AN ACT authorizing the Levy Courts of the several counties in this State to appropriate funds for County Demonstration Work in Agriculture and Home Economics.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Levy Courts of the several Counties within the State are hereby authorized, if they deem advisable, to appropriate any sum not exceeding Thirty-six Hundred Dollars annually in any one county, for demonstration work in agriculture and home economics within said counties, for the employment of a County Agent or County Agents in co-operation with Delaware College and the United States Department of Agriculture, in accordance with terms and conditions of the Law of Congress No. 7951, commonly known as the Smith-Lever Act, the provisions of which have been accepted by the State of Delaware, or any other act of Congress appropriating moneys for demonstration work and home economics, the terms of which have been accepted by the State of Delaware.

Approved April 7, A. D. 1921.

CHAPTER 67**LEVY COURT OF KENT COUNTY**

AN ACT to amend Chapter 13, Volume 31, Special Session of the Ninety-seventh General Assembly of the State of Delaware, giving to the Levy Court of Kent County additional powers.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 13, of Volume 31, Special Session of the Ninety-seventh General Assembly of the State of Delaware, be and the same is hereby amended by striking out Section 16 of said Chapter and inserting in lieu thereof the following:

“Section 16. The Levy Court of Kent County may employ a Janitor or Janitors for the proper care of the Court House and authorize the employment by any of the County Officials of such clerical assistance as in the judgment of said Levy Court may from time to time be necessary and to fix their compensation.”

Approved March 28, A. D. 1921.

CHAPTER 68

LEVY COURT OF SUSSEX COUNTY

AN ACT to amend Chapter 75, of Volume 30, Laws of Delaware, relating to appropriations by the Levy Court of Sussex County for incorporated towns.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 75, of Volume 30, Laws of Delaware, be and the same is hereby amended by striking out all of Section 4 of said Chapter, and by inserting in lieu thereof a new Section 4, as follows:

“Section 4. That the Council or Commissioners of every incorporated town of Sussex County, shall, on or before the first day of each January, file with the Levy Court of Sussex County a statement of the assessment for County purposes in the preceding year in the said Town.”

Approved April 7, A. D. 1921.

CHAPTER 69

VALUATION AND ASSESSMENT OF PROPERTY

AN ACT to amend Chapters 43 and 44 of the Revised Code of the State of Delaware in relation to the Board of Assessors of New Castle County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 44 of the Revised Code of the State of Delaware be amended by the addition of a new Section to be known as 1128 C. Section 31 C.

1128 C. Section 31 C. It shall be the duty of the contractor or builder erecting any new building or buildings, or making any repairs, alterations or improvements to any old building or buildings located in New Castle County outside of the City of Wilmington, which shall exceed in cost the sum of One Hundred Dollars, to file within thirty days from the date of the beginning of operations, a detailed description and estimated cost of such improvements with the Board of Assessment of New Castle County.

Section 2. That Chapter 44 of the Revised Code of the State of Delaware be amended by the addition of a new Section to be known as 1108 C. Section 11 C.

1108 C. Section 11 C. It shall be the duty of the Trustees of the various school districts of New Castle County outside of the City of Wilmington, upon request of the Board of Assessment of New Castle County, to furnish a complete list for the respective school districts, of all persons, who have arrived at twenty-one years of age since the preceding assessment, or who have become residents in the County and the names of those who have moved from the County since the preceding assess-

VALUATION AND ASSESSMENT OF PROPERTY

ment. The trustees so reporting shall receive as compensation the sum of Ten Cents for each name reported.

Section 3. That Chapter 44 of the Revised Code be amended by repealing Paragraph 1133 B. Section 36 B. and inserting in lieu thereof a new paragraph to be known as 1133 B. Section 36 B.

1133 B. Section 36 B. All property, real and personal, subject to assessment shall be assessed at its true value in money. For such purpose, it shall be lawful for the said Board of Assessment to enter into an agreement with the proper authorities of any City, Town or Municipality in New Castle County to inspect and copy any assessment made for local purposes. If, in the opinion of a majority of the said Board of Assessment such local assessment assesses all property at its true value in money, then the said Board of Assessment shall have the right to adopt such local assessment as the assessment for county purposes, and thereupon such local assessment shall be the lawful assessment for county purposes. If the Board of Assessment, or any member thereof, shall knowingly and wilfully value or assess any property upon any other principal than its true value in money, each of the members of said Board participating therein shall be deemed guilty of a misdemeanor and shall be fined in any sum not exceeding One Hundred Dollars.

Approved March 28, A. D. 1921.

CHAPTER 70

VALUATION AND ASSESSMENT OF PROPERTY

AN ACT to amend Chapter 44 of the Revised Code of the State of Delaware in reference to Assessors.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 44 of the Revised Code of the State of Delaware, as amended by Chapter 72, Volume 29, Laws of Delaware, be and the same is hereby amended by repealing 1099 B. Section 2 B. and inserting in lieu thereof a new Section to be styled 1099 B Sec. 2 B., as follows:

“1099 B. Sec. 2 B. That from and after the first day of July, A. D. 1917, the several duties devolving upon the assessors in the several Hundreds and Districts of New Castle County shall be performed by a Board of Assessment to be composed of four persons, and that the office of Assessor in each of the several Hundreds in New Castle County, outside the City of Wilmington, and in each of the Representative Districts in the City of Wilmington, be and the same is hereby abolished upon the expiration of the term of office of the present several Hundred and District Assessors, and that all laws and parts of laws inconsistent herewith are hereby repealed.”

Approved March 28, A. D. 1921.

CHAPTER 71

VALUATION AND ASSESSMENT OF PROPERTY

AN ACT to amend Chapter 44 of the Revised Code of the State of Delaware, as amended by Chapter 77, Volume 30, Laws of Delaware, relating to the valuation and assessment of property in Sussex County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 44 of the Revised Code of the State of Delaware, as amended by Chapter 77, Volume 30, Laws of Delaware, be, and the same is hereby amended by repealing the first sentence of the first paragraph of 1112 A. Sec. 15 A. of said Chapter 77, Volume 30, Laws of Delaware, and by enacting in lieu thereof, the following:

1112 A. Sec. 15 A. The Board of Assessment shall, on or before the fifteenth day of February of each year, post in some convenient place in each election district of each representative district of the County, a copy of the assessment of such representative district as made by it.

Section 2. That Chapter 44 of the Revised Code of the State of Delaware, as amended by Chapter 77, Volume 30, Laws of Delaware, be, and the same is hereby amended, by striking out of 1130 A. Sec. 33 A. of said Chapter 77, Volume 30, Laws of Delaware, the word "election" wherever the same appears, and by substituting in lieu thereof the word "representative."

Approved March 28, A. D. 1921.

CHAPTER 72

VALUATION AND ASSESSMENT OF PROPERTY

AN ACT to amend Chapter 44, Paragraph 1098, Section 1 of the Revised Code of the State of Delaware, by exempting from taxation the lands, tenements and property of corporations organized for the purpose of carrying on "Salvation Army" work.

Be it enacted by the Senate and House of Representatives in General Assembly met:

That Chapter 44, Paragraph 1098, Section 1 of the Revised Code of the State of Delaware, as heretofore amended, be and the same is hereby further amended, by adding at the end thereof, the following paragraph:

The lands, tenements, and property of any corporation organized for and carrying on "Salvation Army" work shall be exempted from any and all State, County and Municipal taxes, assessments, burdens and impositions during such time and to the extent that such lands, tenements and property shall be actually used by such corporation in the charitable and religious work usually done by the organization known as "The Salvation Army"; provided, that said exemption shall not apply to any lands, tenements and property owned by said corporation, as investments, and not actually used in its work.

Approved March 15, A. D. 1921.

CHAPTER 73

VALUATION AND ASSESSMENT OF PROPERTY

AN ACT in relation to the valuation and assessment of property in Kent County, Delaware, under Chapter 14, of Volume 31, Delaware Laws, for the years 1921 and 1922.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That, for the purposes of assessment, under Chapter 14, of Volume 31, Delaware Laws, for the years 1921 and 1922, the Board of Assessment shall sit during each secular day, commencing on the fifteenth day of April, and ending on the first day of May, to hear appeals and to make additions and corrections to said assessment, the purposes of this section being to fix a shorter time for taking and hearing appeals, and making additions and corrections under Section 19, of said Chapter 14, of Volume 31.

Section 2. That for the purposes of assessment, under Chapter 14, of Volume 31, Delaware Laws, for the years 1921 and 1922, the Board of Assessment shall notify in writing all the persons, firms, associations and corporations designated by Section 21 of said Chapter, to deliver to the said Board of Assessment a particular account of the real or personal property described in the said section, within fifteen days after such notice, and failure to enter an account and return by any person, firm, association or corporation within five days after the time limited for the making thereof, shall be a misdemeanor, punishable as by said section provided, the purpose of this section being to fix a shorter time for making returns under said Section 21.

Section 3. That for the purposes of assessment under Chapter 14, of Volume 31, Delaware Laws, for the years 1921 and 1922, it shall be the duty of the Recorder of Deeds and Register of Wills in and for Kent County, to furnish daily to the Board

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of Assessors the information required by Section 24 of said chapter.

Section 4. That for the purposes of assessment under Chapter 14, of Volume 31, Delaware Laws, for the years 1921 and 1922, it shall be sufficient for the Board of Assessment to ascertain and assess according to law, all the taxable property in each representative district, under Section 10 of said chapter, without reference to its location in the Election District.

Approved January 27, A. D. 1921.

CHAPTER 74

VALUATION AND ASSESSMENT OF PROPERTY

AN ACT providing for an extension of time for the assessment, levy and collection of taxes in Kent County for the year 1921.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the time for posting copies of the assessment under Section 19 of Chapter 14, Volume 31, Laws of Delaware, be and the same is hereby extended for the year 1921 to the fifteenth day of May, and the period for hearing appeals and to make additions and corrections to said assessment in said year shall commence on the sixteenth day of May and end on the first day of June.

Section 2. That the time for ascertaining the total assessed valuation and certifying the same to the Levy Court under Section 20 of said Act and the time for preparing and furnishing to the Levy Court duplicates of the assessments and alterations and corrections thereof under Section 14 of said Act, be and the same is hereby extended for the year 1921, until the first day of July.

Section 3. That the time for the levy and collection of taxes under chapter 13 of Volume 31, Laws of Delaware, and for all the things to be done under the provisions of said Chapter in relation to the Levy and collection of taxes, be and the same is hereby extended in the year 1921, for a period of thirty days after the several dates fixed by said Chapter.

Approved March 25, A. D. 1921.

CHAPTER 75

VALUATION AND ASSESSMENT OF PROPERTY

AN ACT in relation to transfers of property in Sussex County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That every Notary Public in the State of Delaware, before whom any deed conveying land situated in Sussex County shall be acknowledged, shall make a certificate on blanks to be furnished by the Board of Assessment of Sussex County, showing said transfer, and return the same to the said Board of Assessment in the same month in which the transfer was made. For every such deed reported under the provisions of this Act the Notary Public shall be entitled to a fee of twenty-five cents to be paid by the Levy Court of Sussex County.

Approved March 28, A. D. 1921.

CHAPTER 76

RECEIVER OF TAXES AND COUNTY TREASURER

SUSSEX COUNTY

AN ACT to authorize the employment of clerical assistance in the office of the Receiver of Taxes and County Treasurer of Sussex County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Receiver of Taxes and County Treasurer of Sussex County is hereby authorized, with the consent and approval of the Levy Court of Sussex County, to employ such clerical assistance as shall be necessary for the proper discharge of the duties of said office. The names of the persons employed in said office, under the provisions hereof, shall be, from time to time, reported in writing to the Levy Court, and the compensation of the persons so employed shall be determined by the Levy Court.

Approved March 28, A. D. 1921.

CHAPTER 77

RECEIVER OF TAXES AND COUNTY TREASURER

SUSSEX COUNTY

AN ACT to amend Chapter 82, Volume 28, Laws of Delaware, by increasing the amount of the bond of the Receiver of Taxes and County Treasurer of Sussex County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 4 of Chapter 82, Volume 28, Laws of Delaware, be and the same is hereby amended by striking out the word "twenty-five" in the seventh line of said section, and by substituting in lieu thereof the word "fifty."

Section 2. That within fifteen days after the approval of this act, the Receiver of Taxes and County Treasurer of Sussex County shall give bond to the State of Delaware in the further sum of twenty-five thousand dollars. The bond required to be given under this section shall be in addition to the bond now required by law, and all the provisions of said Section 4, Chapter 82, Volume 28, Laws of Delaware, shall apply to said bond. The provisions of this section shall apply only to the present Receiver of Taxes and County Treasurer of Sussex County.

Approved March 14, A. D. 1921.

CHAPTER 78

CORONERS

AN ACT to amend Chapter 49, of the Revised Code of the State of Delaware, being an act relating to Coroners relative to certificates of death.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 49 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 1370. Sec. 25 and by inserting in lieu thereof the following new section, to be styled 1370. Sec. 25:

"1370. Sec. 25. The Coroner shall, in cases which are within his cognizance, give certificates of deaths to undertakers and to local Registrars of Births, Deaths and Marriages, as provided by Section 77 of Chapter 25 and by Section 36 of Chapter 67; provided that in every such case the cause of death as stated on such certificate shall be certified by a regularly licensed physician."

Approved April 18, A. D. 1921.

CHAPTER 79

RECORDER

AN ACT to authorize the Recorder of Deeds of the State of Delaware in and for Kent County to procure a new seal of office.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Charles G. Coverdale, Recorder of Deeds of the State of Delaware, in and for Kent County, be and he is hereby authorized to procure a new seal for his office to be made of brass or steel of the dimensions and engraved with the same devices of the present seal, which said seal when completed shall be taken and deemed to be the seal of the Recorder of Deeds of the State of Delaware, in and for Kent County, and shall thereafter be affixed to all writings, papers and records where the seal of the said Recorder of Deeds is required, and the present seal shall then be broken and destroyed by the said Recorder of Deeds in the presence of the Sheriff of Kent County.

Section 2. The Levy Court of Kent County shall pay the necessary costs of procuring said new seal.

Approved March 15, A. D. 1921.

CHAPTER 80

RECORDER

AN ACT providing for the recording of certain deeds and other proceedings necessary for furthering public improvements to St. Jones' River.

WHEREAS, the United States of America contemplates making certain improvements to St. Jones' River by digging canals for the purpose of shortening the course of the same; and

WHEREAS, Before such improvements will be made title to such lands as may be necessary therefor must be vested in the said United States without cost to it; and

WHEREAS, It will be necessary that certain Deeds and other proceedings be recorded, the expense for which will otherwise have to be borne by private subscription; now therefore

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Recorder of Deeds in and for Kent County be and he is hereby required to record without charge all Deeds and other proceedings which may be necessary to be recorded for the purpose of shortening the course of and improving said St. Jones' River.

Approved March 28, A. D. 1921.

CHAPTER 81

CONSTABLE

AN ACT to amend Chapter 51 of the Revised Code of the State of Delaware by providing for the appointment of Constables for the office of Receiver of Taxes and County Treasurer of Sussex County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 1400, Sec. 4, of Chapter 51 of the Revised Code be amended by striking out paragraph numbered four enacted by Chapter 87, Volume 30, Laws of Delaware, and by substituting in lieu of said paragraph numbered four the following:

“(4) The Receiver of Taxes and County Treasurer of Sussex County shall nominate, and the Levy Court shall appoint, at least one special constable in each of the representative districts in Sussex County, and as many more as he may deem necessary, for the office of Receiver of Taxes and County Treasurer of Sussex County. The said constables first appointed hereunder shall hold office until the first Tuesday of March of the year 1922, and thereafter upon the nomination of said Receiver of Taxes and County Treasurer, the Levy Court shall, on the first Tuesday of March in each year, appoint said special constables as nominated by said Receiver of Taxes and County Treasurer. The duties of said constables shall consist in the service and return of writs of summons, attachment, garnishment and execution in respect of delinquent taxables and in the arrest and imprisonment of such delinquents, under the powers and duties of said Receiver of Taxes and County Treasurer, and in the posting of notices and making sales of property, real and personal, as said Receiver of Taxes and County Treasurer may direct. The said constables shall be entitled to charge the same fees, mileage, costs and charges as are now or hereafter may be provided by

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law for the County Constables, or for said Receiver of Taxes and County Treasurer. The said constables shall have all the power and authority, under the limitations of this paragraph, and shall be subject to all the requirements and qualifications imposed or obligated by law upon constables in and for Sussex County, except that the bonds required of said special constables shall be in the sum of two hundred dollars, provided that nothing herein shall preclude any other constable of said County from the performance of any of the said duties when duly directed so to do. The Levy Court of said County shall enter in its minute book the list of persons appointed as such special constables and the date of their said appointments, and shall have prepared and shall keep in a safe place the bonds of said special constables."

Approved March 28, A. D. 1921.

CHAPTER 82

SALARIES OF CERTAIN COUNTY OFFICERS

AN ACT to amend Chapter 53, of the Revised Code of the State of Delaware and to provide for an "Index Clerk" in the office of the Recorder of Deeds for New Castle County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That Chapter 53, of the Revised Code of the State of Delaware, be amended by adding thereto a new paragraph to be known as "1439 B. Sec. 7 B."

1439 B. Sec. 7 B. In New Castle County, the Recorder shall be empowered to designate one of the clerks employed in his office as "Index Clerk," who shall, under the direction of the Recorder, be responsible for the entires in all the indices in said Recorder's Office. The said Index Clerk shall receive the same compensation as is provided for the Deputy Recorder in said office.

Approved April 7, A. D. 1921.

CHAPTER 83

SALARIES OF CERTAIN COUNTY OFFICERS

AN ACT to amend Chapter 53, of the Revised Code of the State of Delaware, relating to salaries of County Officers.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 6, 1438, Chapter 53, of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out the second paragraph thereof and inserting in lieu thereof, the following:

"In Kent County, the Clerk of the Peace shall receive Two Thousand Dollars; the Sheriff, Two Thousand Dollars; the Coroner, One Thousand Dollars; the Prothonotary, Two Thousand Dollars; the Recorder, Two Thousand Dollars; the Register of Wills, Two Thousand Dollars; the Register of Chancery, One Thousand Dollars; the Clerk of the Orphans' Court, One Thousand Dollars; and the County Comptroller, Two Thousand Dollars.

Approved April 7, A. D. 1921.

CHAPTER 84

SALARIES OF CERTAIN COUNTY OFFICERS

AN ACT to increase the salary of the Deputy Sheriff of Kent County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That for the years 1921 and 1922 the salary of the Deputy Sheriff of Kent County shall be Nine Hundred Dollars (\$900) per annum, payable monthly, until the first Tuesday in January, 1923.

Approved May 17, A. D. 1921.

CHAPTER 85

SALARIES OF CERTAIN COUNTY OFFICERS

AN ACT authorizing and empowering the Levy Court of Sussex County to fix the compensation of clerks employed in the several offices of Sussex County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Levy Court of Sussex County is hereby authorized and empowered to fix the compensation of clerks employed in the several County Offices of Sussex County in all cases where clerical assistance is, by law, authorized to be employed in said offices, and in respect of which no fixed salary or compensation has been provided by law.

Approved April 4, A. D. 1921.

CHAPTER 86

ROADS AND BRIDGES

AN ACT to amend Chapter 55 of the Revised Code of the State of Delaware, in reference to improved road contracts.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 55 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 1506, Sec. 26 thereof, and by inserting in lieu thereof the following new Section to be styled 1506, Sec. 26:

1506. Sec. 26. **PARTIAL PAYMENTS ON CONTRACT:**—Partial payments may be made on account of said contract provided for under the provisions of Sections 21 to 31, inclusive, of this Chapter, and paid in the manner herein prescribed, when certified to by the said Commissioner, not exceeding ninety per centum of the full value of the work done prior to said payment, and the balance after the work specified to be done by such contract shall have been fully performed and accepted by the said Levy Court and the said Commissioner.

Provided, nevertheless, when any such contract has been entered into as aforesaid and the contractors have entered upon the performance of the said contract, and through no fault of the contractors, further work under said contract has been stopped and held up, on account of the Levy Court being unable to secure proper right of way to enable the contractors to proceed further with said contract, then and in such event the Levy Court may settle in full with the contractors for all work done and performed by the said contractors under said contract up until the time when said work was stopped and held up as aforesaid; and also, in such event, if the said contractors shall request in writing to be relieved of further work under said contract, the Levy Court,

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after paying the contractor for all work done and performed as aforesaid, may in its discretion cancel the said contract and relieve the contractor from any and all liability thereunder.

Approved April 7, A. D. 1921.

CHAPTER 87

ROADS AND BRIDGES

AN ACT to amend Chapter 55 of the Revised Code of the State of Delaware, and relating to the compensation of Road Supervisors in Kent County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 55 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out 1517, Sec. 37 of said Chapter, and by inserting in lieu thereof a new section, to be styled, 1517, Sec. 37, as follows:

"1517, Sec. 37. UNIMPROVED ROADS AND BRIDGES; REPAIR; CONTRACTS FOR; SUPERVISOR OF ROADS; APPOINTMENT; AUTHORITY; DUTIES; REPORTS; COMPENSATION; REPORT OF CLERK OF PEACE AS TO EXPENDITURES:—The Levy Court of Kent County shall, annually, in the month of February, appoint two supervisors of roads for each Representative District of the County. Said Supervisors shall keep the roads and bridges of their Districts in repair, and shall be under the direction of the County Road Engineer, and subject to the supervision of the said Engineer, shall have authority to employ any necessary men, teams, and implements and to purchase all necessary materials for the purpose of making such repairs. Said supervisors shall work as any other men employed by them whenever they are working three men or less, and shall personally supervise the said repair work in their Districts, and shall make under oath full and complete reports in duplicate, accompanied by their vouchers, to the said Engineer, at the end of every week in which they shall do any work, giving in detail the number of hours they were employed in the service of the County, all items of work done, the number of men, teams and implements employed, the length of time of their employment and the materials used in such repair work; one of which reports shall be filed by the said County Road Engi-

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neer, with the County Comptroller. The said supervisors of roads may at any time be removed at the pleasure of the Levy Court, and the said Levy Court may appoint others in their places.

The compensation of supervisors shall be fixed by the Levy Court, and they shall receive for their services only such compensation as they are entitled to for the number of hours actually spent in the service of the County. No time shall be allowed going to and from work, or looking for workmen. A schedule of the amounts to be paid for men employed, and teams or implements hired, and all expense allowances to the supervisors, if any, shall be fixed from time to time by the Levy Court, and no money shall be paid out for the services of the said supervisors, or for any such labor, teams, implements or materials, or for any other purpose, except by orders drawn by the Clerk of the Peace, countersigned by the President of the Levy Court and approved by the County Comptroller after he shall have satisfied himself of the correctness and fairness of the same. And before any such orders shall be drawn or approved by the Comptroller, the bills for the payment for which they are to be given shall be approved by the Levy Court Commissioner from the District in which such work shall be done, or materials used. All such moneys shall be paid from the road moneys collected from general taxes, except the compensation of the said supervisors, which shall be paid from the general fund, and a written report of such payments shall be submitted to each monthly meeting of the Levy Court by the County Comptroller and the Finance Committee of the said Levy Court, at such other times as it may require it. And if the said Levy Court shall deem it advisable so to do, it may contract with any person or persons to repair or keep in repair any road or roads, or portions of the same, within any District in Kent County, on such terms and for such compensation as it may deem advisable. But before entering into such contract, the said County Road Engineer shall prepare specifications of what work shall be required to be done on said road, which said specifications shall compose a part of any contract that may subsequently be entered into. And it shall also be one of the stipulations of any such contract that the work provided for shall be

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I	15,000	1934
J	20,000	1935
K	10,000	1936
L	15,000	1937
M	25,000	1938
N	25,000	1939
O	25,000	1940
P	20,000	1941
Q	18,000	1942
R	15,000	1943
S	15,000	1944
T	16,000	1945
U	17,000	1946
V	14,000	1947
W	15,000	1948
X	15,000	1949
Y	15,000	1950
Z	15,000	1951
AA	15,000	1952
BB	15,000	1953
CC	15,000	1954
DD	15,000	1955
EE	15,000	1956
FF	5,000	1957

Said bonds may, at the option of the Levy Court, contain a provision for the redemption thereof by the Levy Court at any time after the expiration of five years from the date thereof, at a premium not to exceed five per cent.

Section 3. Said bonds shall be prepared under the supervision of the Levy Court Commissioners and shall be signed by the County Treasurer, the President of the Levy Court and the Clerk of the Peace of New Castle County, and shall be under the seal used by the Levy Court of New Castle County. It shall be the duty of such officers to execute said bonds when directed by the Levy Court to do so, and it shall be the duty of the County Treasurer and the Levy Court to keep a record of said bonds.

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Section 4. Said bonds, or any part thereof, may be sold when and as the said Levy Court Commissioners shall by resolution determine, and until sold shall remain in the custody of the County Treasurer. Whenever, in the judgment of the Levy Court Commissioners, it shall be deemed desirable that any part or all of said bonds shall be sold, said Levy Court Commissioners may sell and dispose of the same on the most advantageous terms possible, whether above or below par, after having advertised the same in the public press at least once each week for at least two weeks. No commission or other compensation shall be charged or paid to any member of said Levy Court for effecting the sale or negotiation of said bonds.

Section 5. Said bonds, principal and interest, shall be payable at the Farmers' Bank at Wilmington, Delaware, in gold coin of the United States of America, equal in weight and fineness to the present standard, out of the money from time to time appropriated for that purpose by the Levy Court of New Castle County as hereinafter provided; and the said Levy Court is hereby authorized and directed to pay the interest on said bonds to the said Farmers' Bank when and as the same shall become due and to pay said bonds when and as the respective classes mature, in accordance with the foregoing schedule. The said Levy Court, in fixing the rate of taxation, shall annually, until the first installment of said bonds shall become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall become due and payable, shall in like manner provide for a sum equal to the amount of such bonds in addition to the amount necessary to pay the interest on the unpaid bonds as before provided, which shall, when collected and paid to the County Treasurer, be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due under the provisions of Section 2 of this Act.

Section 6. All of said bonds shall bear the same date, and shall be numbered from one to five hundred inclusive. All money

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received from the sale of any or all of the said bonds after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited by the County Treasurer at the Farmers' Bank at Wilmington to the credit of the Levy Court of New Castle County in a separate account, and payments therefrom shall be made in the same manner as other payments by said Levy Court; provided that no part of the money thus obtained, except as in this section provided, shall be used for any other purpose than for the permanent improvement of highways under the provisions of Chapter 63, Volume 29, Laws of Delaware, as amended; and provided further that the purchasers or holders of said bonds shall not be bound to see to, or be affected by, the application of said money realized from the sale of said bonds. And provided further, that the money thus obtained, or any part thereof, shall be spent only as a like amount, dollar for dollar, shall be contributed by the State Highway Department for the construction, as aforesaid, of such highways in New Castle County as may be mutually agreed upon by the Levy Court of New Castle County and the State Highway Department.

Section 7. The bonds to be issued shall be in the following form, to wit:

UNITED STATES OF AMERICA
STATE OF DELAWARE

Class _____

Number _____

NEW CASTLE COUNTY HIGHWAY IMPROVEMENT BOND

Eighth Series

\$1,000.00

\$1,000.00

New Castle County in the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank at Wilmington, on the day of A. D. 19.., the sum of one thousand dollars, with interest thereon at the rate of per centum per annum, payable semi-annually on the day of and

ROADS AND BRIDGES, NEW CASTLE COUNTY

in each year. This Bond is one of the authorized issue of five hundred bonds aggregating five hundred thousand dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware approved A. D. 1921, entitled, "An Act to authorize the Levy Court of New Castle County to borrow \$500,000 to be expended for the permanent improvement of public highways of New Castle County under the provisions of Chapter 63, Volume 29, Laws of Delaware, as amended, and in pursuance of a resolution of the Levy Court of New Castle County, adopted A. D. 1919.

It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly, and that the faith and credit of New Castle County are pledged for the punctual payment of the principal and interest of this bond according to the terms.

IN WITNESS WHEREOF the County Treasurer, President of the Levy Court and Clerk of the Peace of New Castle County, have hereunto set their hands and the seal used by the Levy Court of New Castle County, at the City of Wilmington, in Delaware, this day of A. D. 19....

.....
County Treasurer of New Castle County

.....
President of the Levy Court of New Castle County

.....
Clerk of the Peace of New Castle County

Section 8. Said bonds shall contain such provisions in addition to those set forth in Section 7 of this Act and not inconsistent with the requirements of this Act as said Levy Court shall determine.

Approved March 28, A. D. 1921.

CHAPTER 89

ROADS AND BRIDGES, NEW CASTLE COUNTY

AN ACT to authorize the Levy Court of New Castle County to borrow \$200,000 to be expended for the permanent improvement of bridges in New Castle County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Levy Court of New Castle County be, and is hereby, authorized and empowered to borrow upon the faith and credit of said New Castle County as hereinafter provided, a sum not exceeding two hundred thousand dollars (\$200,000) to be expended for the permanent improvement of bridges of New Castle County, and for the purpose of securing the payment of such sum to issue bonds in denominations of one thousand dollars (\$1,000) each bearing such rate of interest not exceeding six per centum per annum, as said Levy Court may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year from the date of issue thereof.

Section 2. Said bonds shall be divided into nineteen classes and shall be paid at their face value, as follows:

Class	Amounts	Year of Maturity
A	\$5,000	1938
B	5,000	1939
C	5,000	1940
D	5,000	1941
E	10,000	1942
F	10,000	1943
G	10,000	1944
H	10,000	1946
I	15,000	1947
J	15,000	1948
K	15,000	1949

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L	15,000	1950
M	10,000	1957
N	10,000	1958
O	10,000	1959
P	15,000	1960
Q	10,000	1961
R	15,000	1962
S	10,000	1963

Said bonds may at the option of the Levy Court contain a provision for the redemption thereof by the Levy Court at any time after the expiration of five years from the date thereof, at a premium not to exceed five per cent.

Section 3. Said bonds shall be prepared under the supervision of the Levy Court Commissioners and shall be signed by the County Treasurer, the President of the Levy Court and the Clerk of the Peace of New Castle County, and shall be under the seal used by the Levy Court of New Castle County. It shall be the duty of such officers to execute said bonds when directed by the Levy Court to do so, and it shall be the duty of the County Treasurer and the Levy Court to keep a record of said bonds.

Section 4. Said bonds, or any part thereof, may be sold when and as the said Levy Court Commissioners shall by resolution determine, and until sold shall remain in the custody of the County Treasurer. Whenever in the judgment of the Levy Court Commissioners it shall be deemed desirable that any part or all of said bonds shall be sold, said Levy Court Commissioners may sell and dispose of the same on the most advantageous terms possible, whether above or below par, after having advertised the same in the public press at least once each week for at least two weeks. No commission or other compensation shall be charged or paid to any member of said Levy Court for effecting the sale or negotiation of said bonds.

Section 5. Said bonds, principal and interest shall be payable at the Farmers' Bank at Wilmington, Delaware, in gold

ROADS AND BRIDGES, NEW CASTLE COUNTY

coin of the United States of America equal in weight and fineness to the present standard, out of the money from time to time appropriated for that purpose by the Levy Court of New Castle County as hereinafter provided; and the said Levy Court is hereby authorized and directed to pay the interest on said bonds to the said Farmers' Bank when and as the same shall become due and to pay said bonds when and as the respective classes mature, in accordance with the foregoing schedule. The said Levy Court in fixing the rate of taxation shall annually, until the first instalment of said bonds shall become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall become due and payable, shall in like manner provide for a sum equal to the amount of such bonds in addition to the amount necessary to pay the interest on the unpaid bonds as before provided, which shall, when collected and paid to the County Treasurer, be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due under the provisions of Section 2 of this Act.

Section 6. All of said bonds shall bear the same date and shall be numbered from one to two hundred inclusive. All money received from the sale of any or all of the said bonds after the payment of the charges and expenses connected with the preparation and sale thereof shall be deposited by the County Treasurer at the Farmers' Bank at Wilmington to the credit of the Levy Court of New Castle County in a separate account and payments therefrom shall be made in the same manner as other payments by said Levy Court; provided that no part of the money thus obtained, except as in this section provided, shall be used for any other purpose than for the permanent improvement of bridges in New Castle County; and provided further that the purchasers or holders of said bonds shall not be bound to see to, or be affected by, the application of said money realized from the sale of said bonds.

Section 7. The bonds to be issued shall be in the following form, to wit:

UNITED STATES OF AMERICA
STATE OF DELAWARE

CLASS NUMBER

NEW CASTLE COUNTY BRIDGE IMPROVEMENT BOND

—————SERIES

\$1,000.00

\$1,000.00

New Castle County in the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank at Wilmington, on the day of..... A. D., 19....., the sum of one thousand dollars, with interest thereon at the rate of.....per centum per annum, payable semi-annually on theday of andin each year. This Bond is one of the authorized issue of two hundred bonds aggregating two hundred thousand dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approvedA. D., 1921, entitled, "An Act to Authorize the Levy Court of New Castle County to Borrow \$200,000 to be Expended for the Permanent Improvement of Bridges in New Castle County."

It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly and that the faith and credit of said New Castle County are pledged for the punctual payment of the principal and interest of this bond according to the terms.

IN WITNESS WHEREOF the County Treasurer, President of the Levy Court and Clerk of the Peace, of New Castle County, have hereunto set their hands and the seal used by the Levy Court of New Castle County, at the City of Wilmington, in Delaware, thisday ofA. D.
.....

ROADS AND BRIDGES, NEW CASTLE COUNTY

County Treasurer of New Castle County.

.....

President of the Levy Court of New Castle County.

.....

Clerk of the Peace of New Castle County.

Section 8. Said bonds shall contain such provisions in addition to those set forth in Section 7 of this Act, and not inconsistent with the requirements of this Act, as said Levy Court shall determine.

Approved April 7, A. D. 1921.

CHAPTER 90

ROADS AND BRIDGES, KENT COUNTY

AN ACT providing for the construction of a bridge over the Murderkill River at Bowers, in Kent County, and appropriating money therefor.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That Henry I. Beers, John W. Sheldrake and George C. Hering be and they are hereby created a Commission to erect a suitable bridge over the Murderkill River, at Bowers in Kent County, and for this purpose the sum of Twenty-five Thousand Dollars is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, which sum shall be paid upon warrants drawn on the State Treasurer, signed by the Chairman and Secretary of the said Commission, and approved by the Auditor of Accounts.

Section 2. That the said Commission shall organize by electing a Chairman and Secretary, and shall be known as, "The Murderkill Bridge Commission." The said Commission shall have power to employ competent engineers, acquire necessary land, and make necessary contracts to accomplish the purposes of this Act. A majority of said Commission may determine any question.

Section 3. If the said Commission shall find that the sum appropriated by this Act is not sufficient to construct a suitable bridge for the purposes of this Act, and if the Levy Court of Kent County shall consider it proper to add to this appropriation out of the public funds of Kent County, for the purpose of making a sufficient fund for the construction of said bridge, the said Levy Court is hereby authorized and empowered to appropriate from the public funds of Kent County such sum as it shall deem advisable for the purpose of properly constructing said bridge.

ROADS AND BRIDGES, KENT COUNTY

Section 4. Upon letting every contract under this Act, it shall be the duty of the Commission to require ample corporate surety from the contractor, insuring the faithful and full performance of the contract, and securing the payment by the contractor of all moneys due all sub-contractors, material, men and workmen, for material and labor used and employed in the performance of the said contract.

Approved April 7, A. D. 1921.

CHAPTER 91

ROADS AND BRIDGES, SUSSEX COUNTY

AN ACT to amend an Act entitled, "An Act to authorize Sussex County to borrow One Million Dollars to be expended for the permanent improvement of certain public highways of Sussex County," (being Chapter 105, Volume 29, Laws of Delaware) by determining the membership of Sussex County Highway Improvement Commission, fixing their tenure of office and the name by which said body shall be known.

WHEREAS, Chapter 105, Volume 29, Laws of Delaware, approved April 9th, A. D. 1917, being, "An Act to authorize Sussex County to borrow one million dollars to be expended for the permanent improvement of certain public highways of Sussex County," provides in Section 1 thereof for the creation of a joint committee, "composed of the members of the Levy Court of Sussex County, together with a Committee of Three to be composed of the Governor and two other citizens of Sussex County, to be appointed by the Governor, one from each of the principal political parties, to be known as an Advisory Committee," and further provides that said Committee should be authorized and empowered to borrow a sum not exceeding one million dollars, to be expended for the permanent improvement of highways of Sussex County, and for the purpose of securing the payment of such sum to issue bonds as therein provided; and

WHEREAS, it was contemplated that all the duties imposed upon said Joint Committee by the provisions of said Chapter 105, Volume 29, Laws of Delaware, would be discharged during the term of John G. Townsend, Jr., the then Governor of this State, who was a resident of Sussex County; but because of the unusual industrial and financial conditions existing during the greater portion of the past four years, it has been impossible for said Joint Committee to complete the duties as aforesaid imposed upon it, and there remains yet to be expended and used a considerable portion of the sum authorized by said Act to be borrowed and expended for the permanent improvement of the Highways of said Sussex County; and

ROADS AND BRIDGES, SUSSEX COUNTY

WHEREAS, the term of office of the said John G. Townsend, Jr., Governor, has expired, and it is uncertain from the language of said Section 1 of said Chapter 105, as to who would compose said Advisory Committee of three upon the expiration of the term of office of the said Governor, and as it is desirable that such uncertainty should be removed and that all members of said Joint Committee should be composed of residents of Sussex County, therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That from and after the third Tuesday in January, A. D. 1921, or from and after the approval of this Act, said Joint Committee created by said Chapter 105, Volume 29, Laws of Delaware, shall be composed of the members of the Levy Court of Sussex County, together with a Committee of three, to consist of three citizens of Sussex County to be appointed by the Governor, not more than two of whom shall be of the same political party.

Section 2. That the term of office of the persons above named by the Governor as members of said Joint Committee, shall continue until the third Tuesday of January, A. D. 1925, and in case of vacancy by death, resignation, removal from Sussex County, or from any other cause, in that part of said Joint Committee named by the Governor, such vacancy shall be filled by the Governor by appointment of a resident of Sussex County for the remainder of the term of office as fixed by Section 1 of this Act.

Section 3. That said Joint Committee, so composed of the members of the Levy Court of Sussex County and the three persons designated in Section 1 of this Act, and their successors in office, shall be known by the name, style and title of, SUSSEX COUNTY HIGHWAY IMPROVEMENT COMMISSION.

Approved February 23, A. D. 1921.

CHAPTER 92

ROADS AND BRIDGES, SUSSEX COUNTY

AN ACT to authorize Sussex County to borrow One Million Dollars to be expended for the permanent improvement of certain public highways of Sussex County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Sussex County Highway Improvement Commission be and hereby is authorized and empowered to borrow upon the faith and credit of said Sussex County, as herein provided, a sum of money not to exceed One Million Dollars to be expended for the permanent improvement of highways of Sussex County, and for the purpose of securing the payment of such sum, to issue bonds with coupons attached thereto in denominations of One Thousand Dollars each, and bearing such rate of interest, not exceeding six per centum per annum, as said Sussex County Highway Improvement Commission may deem expedient; the interest upon said bonds shall be payable semi-annually in each and every year from the date of issue thereof.

Section 2. Said bonds shall be divided into forty classes and shall be paid at their face value as follows:

Class	Amount	Year of Maturity
A	\$25,000	1931
B	25,000	1932
C	25,000	1933
D	25,000	1934
E	25,000	1935
F	25,000	1936
G	25,000	1937
H	25,000	1938
I	25,000	1939

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J	25,000	1940
K	25,000	1941
L	25,000	1942
M	25,000	1943
N	25,000	1944
O	25,000	1945
P	25,000	1946
Q	25,000	1947
R	25,000	1948
S	25,000	1949
T	25,000	1950
U	25,000	1951
V	25,000	1952
W	25,000	1953
X	25,000	1954
Y	25,000	1955
Z	25,000	1956
AA	25,000	1957
AB	25,000	1958
AC	25,000	1959
AD	25,000	1960
AE	25,000	1961
AF	25,000	1962
AG	25,000	1963
AH	25,000	1964
AI	25,000	1965
AJ	25,000	1966
AK	25,000	1967
AL	25,000	1968
AM	25,000	1969
AN	25,000	1970

Said bonds may, at the option of said Sussex County Highway Improvement Commission, contain a provision for the redemption thereof at any time after the expiration of ten years from the date thereof, at a premium not to exceed five per centum.

Section 3. Said bonds shall be prepared under the super-

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vision of Sussex County Highway Improvement Commission, and shall be signed by the President of the Levy Court of Sussex County, the Clerk of the Peace of Sussex County and the Receiver of Taxes and County Treasurer of Sussex County. It shall be the duty of such officers to execute said bonds when directed so to do by the Sussex County Highway Improvement Commission, and it shall be the duty of the Receiver of Taxes and County Treasurer to keep a record of said bonds. Said bonds shall be exempt from State, County, Municipal or other taxation.

Section 4. Said bonds, or any part thereof, may be sold when and as the said Sussex County Highway Improvement Commission shall by resolution determine, and until sold shall remain in the custody of the Receiver of Taxes and County Treasurer. Whenever in the judgment of the said Sussex County Highway Improvement Commission, it shall be deemed desirable that any part or all of said bonds shall be sold, said Sussex County Highway Improvement Commission may sell and dispose of the same at the most advantageous terms possible, after having advertised the same in the public press at least once each week for at least two weeks. No commission or other compensation shall be charged or paid to any member of said Sussex County Highway Improvement Commission for effecting the sale of said bonds.

Section 5. Said bonds, principal and interest shall be payable at the Farmers' Bank of the State of Delaware at Georgetown, Delaware, in gold coin of the United States of America, equal in weight and fineness to the present standard, out of the money from time to time appropriated for that purpose by the Levy Court of Sussex County, as herein provided; and the said Levy Court is hereby authorized and directed to pay the interest on said bonds to the said Farmers' Bank of the State of Delaware, when and as the same shall become due, and to pay said bonds when and as the respective classes mature, in accordance with the foregoing schedule. The said Levy Court of Sussex County, in fixing the rate of taxation, shall annually until the

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first instalment of said bonds become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall become due and payable, shall in like manner provide for a sum equal to the amount of such bonds in addition to the amount necessary to pay the interest on the unpaid bonds, as before provided, which shall, when collected and paid to the Receiver of Taxes and County Treasurer, be set apart by him in a separate account to be opened for that purpose; and the said Receiver of Taxes and County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due, under the provisions of Section 2 of this Act.

Section 6. All of said bonds shall bear the same date and shall be numbered consecutively from one to one thousand inclusive. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited by the County Treasurer at the Farmers' Bank of the State of Delaware at Georgetown to the credit of Sussex County Highway Improvement Commission in a separate account, and payments therefrom shall be made only upon the order of said Sussex County Highway Improvement Commission and in such manner as may be provided by said Sussex County Highway Improvement Commission; provided, that the money thus obtained shall be used for the purpose of permanently improving public roads and highways of Sussex County, in accordance with the provisions of Chapter 70, Volume 30, Laws of Delaware, entitled, 'An Act to amend Chapter 63, Volume 29, Laws of Delaware, by providing State aid to Counties for Road Construction', and that no part of said money shall be used for any other purpose, and provided further that the purchaser or holders of said bonds shall not be bound to see to, or be affected by, the application of said money realized from the sale of said bonds; and provided further that none of said bonds shall be issued at any time except by the approval and upon the order of a majority of all the members of said Sussex County Highway Improve-

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ment Commission. And provided further, that no moneys raised under and by virtue of the provisions of this Act shall be expended on the construction of any road or the repair of any road until the roads so to be constructed or repaired shall have been selected by the said Sussex County Highway Improvement Commission, a majority of all the members of said Sussex County Highway Improvement Commission agreeing as to which particular road or roads shall at that time be constructed or repaired. In all construction or repair of any road from the moneys raised by virtue of the bond issue herein authorized, the general supervision as to materials to be used, methods of construction and construction shall be in the said Sussex County Highway Improvement Commission.

Section 7. The bonds to be issued shall be in the following form, to wit:

UNITED STATES OF AMERICA
STATE OF DELAWARE

CLASS NUMBER

SUSSEX COUNTY HIGHWAY IMPROVEMENT BOND
SECOND SERIES

\$1,000.00 \$1,000.00

Sussex County, in the State of Delaware, for value received hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank of the State of Delaware at Georgetown, on theday of A. D. 19..... the sum of One Thousand Dollars, with interest thereon at the rate ofper centum per annum, payable semi-annually on theday of.... and in each year. This bond is one of the authorized issue of one thousand bonds aggregating One Million Dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, entitled,

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"An Act to Authorize Sussex County to borrow One Million Dollars to be expended for the permanent improvement of certain public highways of Sussex County," and providing for the permanent improvement of the public highways of Sussex County, Delaware, and in pursuance of a resolution of the Sussex County Highway Improvement Commission, adopted
A. D.19....

It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly and that the faith and credit of Sussex County are pledged for the punctual payment of the principal and interest of this bond, according to the terms.

IN WITNESS WHEREOF, the President of the Levy Court, Receiver of Taxes and County Treasurer of Sussex County and Clerk of the Peace of Sussex County have hereunto set their hands and affixed the seal used by the Levy Court of Sussex County, at the town of Georgetown, in the County of Sussex and State of Delaware, thisday of
.....A. D. 19.....

.....
President of the Levy Court of Sussex County.

.....
Receiver of Taxes and County Treasurer of Sussex County

.....
Clerk of the Peace of Sussex County.

Section 8. Said bonds shall contain such provisions in addition to those set forth in Section 7, of this Act, and not inconsistent with the requirements of this Act, as said Sussex County Highway Improvement Commission shall determine.

Approved March 31, A. D. 1921.

CHAPTER 93

ROADS AND BRIDGES, SUSSEX COUNTY.

AN ACT requiring the County Road Engineer to measure certain State and County roads in Sussex County.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That the County Road Engineer of Sussex County shall, during the month of May, 1921, measure and report to the Levy Court, the mileage of all County and State Roads within the corporate limits of each of the incorporated towns of Sussex County.

Approved March 28, A. D. 1921.

TITLE EIGHT

Elections

CHAPTER 94

REGISTRATION OF VOTERS

AN ACT to amend Chapter 56 of the Revised Code of the State of Delaware, relating to the pay of Registration Officers.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 56 of the Revised Code of the State of Delaware be and the same is hereby amended by adding at the end of 1619, Sec. 1 thereof the following:

For appearing before the Clerk of the Peace of the respective Counties to qualify according to law, each Registration Officer shall be paid for one day's service as provided in 1641, Sec. 23 of the Revised Code of the State of Delaware.

Approved March 14, A. D. 1921.

CHAPTER 95

DEPARTMENT OF ELECTIONS FOR THE CITY OF WILMINGTON

AN ACT to amend Chapter 57 of the Revised Code relative to the Department of Elections for the City of Wilmington.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Sec. 1. That Chapter 57 of the Revised Code be and the same is hereby amended by striking out all of 1663, Section 6, and inserting in lieu thereof the following:

1663. Sec. 6. DIVISION OF CITY INTO ELECTION DISTRICTS; NUMBER OF VOTERS IN DISTRICT; EACH ELECTION DISTRICT WITHIN ONE REPRESENTATIVE DISTRICT; DESIGNATIONS OF DISTRICTS:—The Department of Elections shall, on or before the first day of June, commencing in the year nineteen hundred and twenty-two, and in every sixth year thereafter, on or before the first day of June, divide the City into as many election districts as they shall deem necessary, and shall establish the boundaries thereof. Each election district shall contain as near as may be, not more than five hundred, nor less than one hundred qualified voters. Each of said election districts shall be entirely within the boundaries of one representative district. On or before the first day of June commencing in the year nineteen hundred twenty-four, and biennially thereafter, said Department of Elections may divide such of the election districts, and such only as, by the election last preceding such division shall be found to contain a greater number of voters than can conveniently vote therein. They shall also designate each of said election districts by appropriate titles or distinctions.

Approved March 28, A. D. 1921.

CHAPTER 96

GENERAL ELECTIONS

AN ACT to amend Chapter 60 of the Revised Code of the State of Delaware by changing the boundaries of the First and Second Election Districts of the Eighth Representative District of New Castle County, and creating two additional election districts in said representative district.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 60 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing the paragraphs of 1737. Sec. 17 thereof, designated as, "N. C. 9," and "N. C. 10," and "N. C. 11," describing the present boundaries of the First, Second and Third Election Districts of the Eighth Representative District, in New Castle County, and by inserting in lieu thereof the following:

N. C. 9. The First Election District of the Eighth Representative District is all that portion of Mill Creek Hundred bounded by a line beginning at Milltown, at the intersection of the center line of the public road known as the Limestone Road with the center line of the public road leading to Greenbank; thence Westerly by the center line of the last-named public road, to its intersection with the center line of the Newport and Gap Turnpike Road; thence Southerly by the center line of said Turnpike Road to its intersection with Red Clay Creek; thence Southerly down said Red Clay Creek, by its various courses, to its intersection with the center line of the right of way of the Baltimore and Ohio Railroad; thence Westerly, by the center line of said right of way, to its intersection with the center line of the aforesaid Limestone Road, Northwest of Stanton; and thence Northerly, by the center line of the said Limestone Road, to Milltown and the place of beginning.

All persons entitled to vote in said First Election District shall vote in Marshallton, at such place as shall be selected by the

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Inspector and Judges of Election for said Election District, or a majority of them.

N. C. 10. The Second Election District of the Eighth Representative District is all that portion of Mill Creek Hundred bounded by a line beginning at the intersection of Pike Creek with the center line of the public road leading to Union (formerly Corner Ketch) at or near the residence now or formerly of Ellwood Woodward; thence Westerly, by the center line of the said public road, to its intersection with the public road leading from Union (formerly Corner Ketch) to Mill Creek Meeting House; thence Northerly, by the center line of said last-named public road, passing said Meeting House and the residence formerly of Thomas C. Mitchell, to the center line of the fork of said public road; thence Northwesterly, by the center line of the Westerly fork of said public road, to the Pennsylvania State Boundary line; thence Northeasterly along said State Boundary line, to its intersection with Red Clay Creek; thence Southeasterly, down said Red Clay Creek, by its various courses, to its intersection with the center line of the Lancaster Turnpike Road at Barker's Bridge; thence Northwesterly, by the center line of said Turnpike Road, to Loveville; thence Southwesterly, by the center line of the public road leading from Loveville to Mendenhall's Mill by way of the John Taylor Pierson farm, to its intersection with the center line of the said public road leading from Mendenhall's Mill to the public road known as the Limestone Road; thence Westerly, by the center line of the said public road leading from Mendenhall's Mill to the said Limestone Road, to its intersection with the center line of the said Limestone Road at or near the residence formerly of George Klair; thence Southerly, by the center line of the said Limestone Road, to its intersection with the center line of the public road leading to Union (formerly Corner Ketch) at or near the old blacksmith shop formerly of Cavender and later of Pierson; thence Westerly, by the center line of the said last-named public road, to its intersection with Pike Creek and the place of beginning.

All persons entitled to vote in said Second Election District shall vote at Hockessin, at such place as shall be selected by the

GENERAL ELECTIONS

Inspector and Judges of Election for said Election District, or a majority of them.

N. C. 11. The Third Election District of the Eighth Representative District is all that portion of Mill Creek Hundred bounded by a line beginning at the intersection of Pike Creek with White Clay Creek; thence Northerly, up the main branch of said Pike Creek, by its various courses, to its intersection with the center line of the public road leading from said Pike Creek to Union (formerly Corner Ketch) at or near the residence now or formerly of Ellwood Woodward; thence Westerly, by the center line of the said public road, to its intersection with the center line of the public road leading from Union (formerly Corner Ketch) to the Mill Creek Meeting House; thence Northerly, by the center line of the public road last-named and passing the residence formerly of Thomas C. Mitchell, to its intersection with the center line of the Westerly fork of the said public road beyond the residence aforesaid; thence Northwesterly, by the center line of the Westerly fork of the said public road, to the Pennsylvania State boundary line; thence Southwesterly, by the said boundary line to its intersection with White Clay Creek; and thence Southerly, down said White Clay Creek by its various courses, to the mouth of Pike Creek and the place of beginning.

All persons entitled to vote in said Third Election District shall vote at Milford Cross Roads, at such place as shall be selected by the Inspector and Judges of Election for said Election District, or a majority of them.

N. C. 11 A. The Fourth Election District of the Eighth Representative District is all that portion of Mill Creek Hundred bounded by a line beginning at the intersection of Pike Creek with White Clay Creek; thence Northerly, by the various courses of the main branch of said Pike Creek, to the center line of the public road leading from Union (formerly Corner Ketch) to the public road known as the Limestone Road, near the residence now or formerly of Ellwood Woodward; thence Easterly, by the center line of the said public road leading from Union (formerly Corner

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Ketch) to the said Limestone Road, to its intersection with the center line of the said Limestone Road at or near the old blacksmith shop formerly of Cavender and later of Pierson; thence Southerly, by the center line of the said Limestone Road, and passing Harmony School House, through Mermaid and Milltown, to the center of the right of way of the Baltimore and Ohio Railroad Northwest of Stanton; thence Northeasterly with the center line of the said right of way to its intersection with Red Clay Creek; thence down said Red Clay Creek, by its various courses, to its intersection with White Clay Creek; and thence up said White Clay Creek by its various courses to the mouth of Pike Creek and place of beginning.

All persons entitled to vote in said Fourth Election District shall vote in Stanton, at such place as shall be selected by the Inspector and Judges of Election for said Election District, or a majority of them.

N. C. 11 B. The Fifth Election District of the Eighth Representative District is all that portion of Mill Creek Hundred bounded by a line beginning at Milltown, at the intersection of the center line of the public road known as the Limestone Road with the center line of the public road leading to Greenbank; thence Westerly, by the center line of the last-named public road, to its intersection with the center line of the Newport and Gap Turnpike Road; thence Southerly, by the center line of said Turnpike Road, to its intersection with Red Clay Creek; thence Northerly, up said Red Clay Creek, by its various courses, to its intersection with the center line of the Lancaster Turnpike Road at Barker's Bridge; thence Northwesterly, by the center line of said Turnpike Road, to Loveville; thence Southwesterly, by the center line of the public road leading from Loveville to Mendenhall's Mill by way of the John Taylor Pierson farm, to its intersection with the center line of the public road leading from Mendenhall's Mill to the public road known as the Limestone Road; thence Westerly, by the center line of the said public road leading from Mendenhall's Mill to the said Limestone Road, to its intersection with the center line of the said Limestone Road at or near the residence formerly of George Klair; thence Southerly, by the

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center line of the said Limestone Road, passing by Harmony School House and Mermaid, to Milltown and place of beginning.

All persons entitled to vote in said Fifth Election District shall vote at the Cedars, at such place as shall be selected by the Inspector and Judges of Election for said Election District, or a majority of them.

Approved March 31, A. D. 1921.

CHAPTER 97

GENERAL ELECTIONS

AN ACT to amend Section 17 of Chapter 60, of the Revised Code of the State of Delaware, concerning the boundary lines of the election districts of the Tenth Representative District of New Castle County and adding thereto a new district.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 17 of Chapter 60, of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out Articles N. C. 15, N. C. 16, N. C. 17, N. C. 18 and N. C. 19, of said Chapter 60, Section 17, and inserting in lieu thereof, the following:

N. C. 15. The First Election District of the Tenth Representative District in New Castle County is all that portion of New Castle Hundred bounded by a line beginning at the Delaware River in the center of Delaware Street in the City of New Castle; thence running with the center of said street until it intersects the center line of Fourth Street; thence with the center of said Fourth Street until it intersects the center line of the street or road leading from New Castle to Wilmington; thence with the center of said street or road to a point where said street or road reaches the boundary line of the City of New Castle; thence Easterly by said boundary line to the Delaware River; and thence by said Delaware River to the place of beginning. All persons entitled to vote in said First Election District shall vote at the old Court House in the City of New Castle.

N. C. 16. The Second Election District of the Tenth Representative District in New Castle County is all that portion of New Castle Hundred bounded by a line beginning at a point of intersection of Fourth Street and Delaware Street in the City of New Castle; thence with the center of said Fourth Street until it intersects the center line of the street or road leading from New

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Castle to Wilmington; thence with the said center of said street or road to a point where said street or road intersects with Landers Avenue; thence with the center of said Landers Avenue until it intersects with the State Road; thence by the center of said State Road until it intersects with McFarlin's Lane; thence with the center of said McFarlin's Lane to the Christiana River; thence by the center of said Christiana River to a point in the center of the drawbridge over said River at the Town of Newport; thence from the center of said River by the center of the road leading from Newport to New Castle, until said road intersects the road known as the "New Castle and Frenchtown Road" (or Delaware Street extended); thence with the center of said road or street to the place of beginning. All persons entitled to vote in said Second Election District shall vote at the shop of Chandler H. Gebhart in the City of New Castle.

N. C. 17. The Third Election District of the Tenth Representative District in New Castle County is all that portion of New Castle Hundred, bounded by a line beginning at a point in the center of the drawbridge over the Christiana River at Newport; and running thence from the center of said River with the center of the road leading from Newport to New Castle until the said road intersects the road known as the "New Castle and Frenchtown Road" (or Delaware Street extended); thence with the center of said road or street to the center of the right of way of the Wilmington to New Castle cut-off of the Delaware Railroad; thence with the center of said cut-off of the Delaware Railroad until it joins the main line of the Delaware Railroad; thence with the center of said Delaware Railroad until it reaches the boundary line of the City of New Castle; thence Easterly by the said boundary line to the Delaware River; thence with the said Delaware River to a point dividing the lands of Florence B. Hilles from lands of Joseph Quigley; thence with said dividing line to the center of the road leading from New Castle to Delaware City; thence with the center of said road to a point of its intersection with the road known as Federal School Lane; thence with the center line of said road to a point of its intersection with the line of the road leading from Wilmington to Red Lion; thence with the center of said road to a point dividing the lands of Jacob

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Stahl from the lands of McMahon Bros.; thence with said dividing line to a point in the center of right of way of the Delaware Railroad; thence with the center of said right of way to the point of intersection of the road (extended) that leads from the New Castle and Frenchtown Road to the road that leads from New Castle to Christiana; and thence with the center of the last-named road and with the center of the said extension to the center of the Christiana River; thence with the center of said River to the place of beginning. All persons entitled to vote in said Third Election District shall vote at the store of James J. Ryan in the City of New Castle.

N. C. 18. The Fourth Election District of the Tenth Representative District in New Castle County is all that portion of New Castle Hundred, bounded by a line beginning at a point in the center of the right of way of the cut-off of the Delaware Railroad where it intersects Delaware Street (extended) in the City of New Castle; thence with the center of said Delaware Street to the Delaware River; thence with the said Delaware River to a point at the boundary line of the City of New Castle; thence with said boundary line to its intersection with Seventh Street; thence with the center of Seventh Street to a point where it intersects the center of South Street; thence with the center of South Street to a point where the said center of South Street intersects the cut-off of the Delaware Railroad; thence with the center of said Railroad to the point of beginning. All persons entitled to vote in said Fourth Election District shall vote at the building of the Good Will Fire Company in the City of New Castle.

N. C. 19. The Fifth Election District of the Tenth Representative District in New Castle County is all that portion of New Castle Hundred, bounded by a line beginning at a point on the Delaware River dividing lands of Florence B. Hilles from the lands of Joseph Quigley; thence with said dividing line to the center of the public road leading from New Castle to Delaware City; thence with the center of said public road to a point of its intersection with the road known as Federal School Lane; thence with the center of said road to the center of the road leading from Wilmington to Red Lion; thence with the center of said

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road to a point dividing the lands of Jacob Stahl from lands of McMahon Bros.; thence with said dividing line to a point in the center of the right of way of the Delaware Railroad; thence with the center of said right of way to the point of intersection of the road (extended) that leads from the New Castle and Frenchtown road to the road that leads from New Castle to Christiana; thence with the center of said road and the extension thereof to the center line of the Christiana River; thence with the center of said river and the lines dividing New Castle Hundred from White Clay Creek, Pencader and Red Lion Hundreds to the Delaware River; and thence by said river to the place of beginning. All persons entitled to vote in said Fifth Election District shall vote at Odd Fellows Hall in the Village of Bear.

N. C. 19 A. The Sixth Election District of the Tenth Representative District of New Castle County is all that portion of New Castle Hundred bounded by a line beginning at a point on the Delaware River at the boundary line between the City of New Castle and New Castle Hundred; thence with said dividing line to the center of the public road leading from Wilmington to New Castle; thence with the center of said public road to the point of its intersection with the road known as Lander's Avenue; thence with the center of said avenue to the point of its intersection with the public road leading from Wilmington to Farnhurst; thence with the center of said public road to the point of its intersection with the road known as McFarlin's Lane; thence with the center of said lane to the Christiana River; thence with the center of said river to a point where said river reaches the boundary line of New Castle Hundred; thence Easterly with the boundary line of said Hundred to the Delaware River; and thence with said river to the place of beginning. All persons entitled to vote in said Sixth Election District shall vote at such place at Rose Hill, as shall be procured by the Inspector or other officer holding the Election in said District.

Section 2. The Inspectors of Election who were elected respectively in the First, Second, Third, Fourth and Fifth Election Districts of New Castle Hundred shall be the the respective Inspectors at the next General Election in the said First, Second,

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Third, Fourth and Fifth Election Districts as defined by Section 1 of this Act, and the Governor shall appoint an Inspector of Election to hold the next General Election in the Sixth Election District created by said Section 1.

Approved March 28, A. D. 1921.

CHAPTER 98

GENERAL ELECTIONS

AN ACT to amend Chapter 60 of the Revised Code by changing the boundaries of the First Election District of the Fifth Representative District, in Kent County, and by creating a new election district.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That Chapter 60 of the Revised Code of the State of Delaware be, and the same is, hereby amended by striking out of that section of said chapter designated "1737, Sec. 17," all of that sub-section of said section designated therein as, "K 8," fixing the boundaries of the First Election District of the Fifth Representative District in Kent County, and by substituting in lieu of said sub-section, two new sub-sections, one of which shall be designated, "K 8," to fix the boundaries of the First Election District of the Fifth Representative District, of Kent County, and the other of which shall be designated, "K 8 A," to fix the boundaries of a New Election District, which shall be the Third Election District of the said Representative District, the said two new sub-sections to be in the language following, viz:

K 8. The First Election District of the Fifth Representative District in Kent County is, all that portion of East Dover Hundred bounded by a line beginning at the center line of Loockerman Street at its intersection with State Street, in the Town of Dover; thence running Westerly with the center line of Loockerman Street until it reaches a point in Loockerman Street where it is intersected by the center line of New Street; thence by the center line of New Street Northerly to the end of New Street; thence by the same line extended Northerly to the edge of Silver Lake; thence along and binding with the edge of Silver Lake in an Easterly direction to the center line of State Street, as extended to Silver Lake; thence Southerly along the center line

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of State Street, and State Street extended, to the place of beginning, at the intersection of Loockerman Street.

All persons entitled to vote in the First Election District shall vote at a place to be provided by the Inspector of the said district, on or near the north side of Loockerman Street in said Election District.

K 8 A. The Third Election District of the Fifth Representative District in Kent County, shall be, all that portion of East Dover Hundred bounded by a line beginning at the center line of Loockerman Street at its intersection with the center line of New Street in the town of Dover; thence running Westerly with the center line of Loockerman Street until it reaches the Delaware Railroad on the Southern side of the Station House; thence Northerly with the center line of the right-of-way of the Delaware Railroad until it intersects with the Horse Head Road; thence in a Westerly course with the center line of said road to the intersection of said road with the road leading to Kenton; thence with the center line of said Kenton Road Northwesterly to the Southern boundary of Kenton Hundred; thence Easterly by the boundary line between Kenton Hundred and East Dover Hundred to the center line of the right-of-way of the Delaware Railroad; thence Southeasterly by said center line of said Delaware Railroad to Fork Branch; thence Southeasterly along the center line of said Fork Branch and the Westerly side of the Mill Pond, now known as, Silver Lake, to a point in line with the center line of New Street; thence in a direct line with the center line of New Street, Southerly to the place of beginning, at the intersection of Loockerman Street.

All persons entitled to vote in the Third Election District shall vote at a place to be provided by the Inspector in the said district, on or near the North side of Loockerman Street in said Election District.

Section 2. That the person elected at the General Election in 1920, Inspector for the First Election District of the Fifth Representative District in Kent County, shall act as Inspector of

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said Election District, as defined by Section 1 of this Act, and a person shall be appointed by the Governor to act as Inspector for the Third Election District of the said Fifth Representative District, as defined by Section 1 of this Act.

Approved April 4, A. D. 1921.

CHAPTER 99

GENERAL ELECTIONS

AN ACT to amend Chapter 60 of the Revised Code of the State of Delaware and providing for additional Clerks of Election.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 60 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing the fourth and last paragraph of 1752. Sec. 32 thereof and by inserting in lieu thereof the following new paragraph:

If in conducting an election, it shall become necessary, in any Election District, by reason of the large number of registered voters in such District, to appoint additional clerks, each of the two Judges of said Election District may appoint an additional clerk; and each clerk so appointed shall subscribe to the foregoing oath or affirmation.

Approved March 28, A. D. 1921.

CHAPTER 100

GENERAL ELECTIONS

AN ACT fixing the time during which the polls shall be kept open at certain elections held in the City of Wilmington.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (Two-thirds of the members elected in each House concurring therein) :

Section 1. That, at all elections (other than primary elections and elections of the members of the Board of Public Education) hereafter held in the City of Wilmington, the polls at the several election districts in said city shall be opened between the hours of seven and seven thirty o'clock in the morning and shall be kept open from that time until six o'clock in the evening of the same day, when they shall close.

Section 2. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved March 28, A. D. 1921.

TITLE NINE

Corporations

CHAPTER 101

RENEWAL AND REVIVAL OF CHARTERS

AN ACT providing for the renewal and revival of the charters of corporations which have expired.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch thereof concurring therein) :

Section 1. That any Corporation which was created under the provisions of an Act entitled "An Act Providing a General Corporation Law," approved March 10, A. D. 1899, and the Acts amendatory thereof and supplemental thereto, and whose charter has become inoperative or void by proclamation of the Governor or by operation of law, for non-payment of taxes, and, which, by reason of lapse of time cannot be reinstated and entitled to all its franchises and privileges under the provisions of Section 16 of an Act entitled "An Act to Raise Revenue for the State by Taxing Certain Corporations," approved March 10, A. D. 1899, and the Acts amendatory thereof, may, at any time before the first day of January, A. D. 1923, procure a renewal and revival of its charter for any period, together with all the rights, franchises, privileges and immunities and subject to all its duties, debts and liabilities which had been secured or imposed by its original charter, and all amendments thereto, by filing with the Secretary of State of the State of Delaware, a certificate of its last or acting

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president and secretary, or the officers performing the functions of president and secretary, or by such officers to be elected, as hereinafter provided, duly sworn or affirmed to by such officers. Such certificate shall set forth:

1. The name of the Corporation, which name shall be the same name it bore when the charter expired, except as otherwise provided in Section 2 of this Act.

2. The name of the City, Town or place within the county in which its principal place of business is located in this State.

3. The date when such renewal or revival is to commence, which shall be prior to the date of the expiration of the old charter, which it is desired to renew or revive; whether or not such renewal and revival is to be perpetual and, if not perpetual, the time for which such renewal and revival is to continue.

4. That the corporation desiring to be renewed and revived, and so renewing its charter, was duly organized and carried on business authorized by its charter until the day of _____ A. D. _____, at which time its charter became inoperative and void by proclamation of the Governor or by operation of law, for non-payment of taxes; and that this certificate for renewal and revival is filed by authority of those who were directors or managers of the said corporation at the time its charter expired, and who, under the laws of this State, by virtue thereof, became its trustees, or who were elected directors of said corporation as hereinafter provided. Such certificate, together with the accompanying sworn statement, as to the payment of taxes, as hereinafter provided, shall be filed in the office of the Secretary of State, and a copy thereof, certified by said Secretary, shall be recorded in the office of the Recorder of Deeds, in and for the county in which the original certificate of incorporation of said corporation was recorded, and thereupon the said corporation shall be renewed and revived, with the same force and effect as if its charter had not become inoperative and void. Upon such revival and renewal, all acts, matters and things done and performed by such corporation within the scope of its

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charter, since the expiration of the same, shall be and hereby are expressly ratified and approved, and all real and personal property, rights and credits which were of said corporation at the time of the expiration of its charter, and which have not been since disposed of, shall be vested in and restored to the renewed and revived corporation as fully and amply as they were held by the said corporation at and before the time its charter expired.

Section 2. If, since the expiration of the charter of said corporation, any other corporation organized under the provisions of the laws of the State of Delaware shall have been given and shall have adopted the same name as the corporation whose charter has expired or shall have been given or adopted a name so nearly similar thereto that the Secretary of State of the State of Delaware shall consider would constitute a confusion in names, then and in such case said renewed and revived corporation shall not be renewed under the same name which it bore when its charter expired, but shall adopt and be renewed under any other name which, under existing law, could be adopted by any corporation intended to be formed and organized under the General Corporation Laws of the State of Delaware, and in such case the certificate to be filed by the last, or acting president and secretary, or the officers performing the functions of president and secretary, or by such officers to be elected as hereinafter provided, as set forth in Section 1 of this Act, shall recite the name borne by said corporation at and before the time its charter expired, and the new name under which said corporation is intended to be renewed and revived.

Section 3. Any corporation seeking to renew its charter under the provisions of this Act shall first pay all City, County, State and franchise taxes and charges due the State of Delaware, or any City or County thereof, which it would by law, have been liable to pay and chargeable with, if its said charter had not expired; and said corporation shall file with the certificate mentioned in Section 1 of this Act, a statement executed and sworn or affirmed by its last or acting president and secretary, or the officers performing the functions of president and secretary, or by such officers to be elected as hereinafter provided. Said state-

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ment shall contain the amount of said taxes and charges so paid, the date of payment, to whom paid and the period of time covered by said taxes and during which they accrued.

Section 4. That if the last President and Secretary or the officers performing the functions of president and secretary, or either of them, of any such corporation so desiring to renew its existence, should be dead at the time of such renewal, the directors of such corporation, or the survivors of them, if not less than three, may elect a successor to such deceased president or secretary, or the officers performing the functions of president and secretary, or successors to both, if both be dead, and if less than three directors of such corporation shall be living when it is desired to effect a renewal of such corporate existence, then the stockholders of such corporation may elect as many directors as may be necessary (together with the surviving directors or director, if any) to constitute a board of three directors; and such board may elect a successor to the deceased president or secretary, or the officers performing the functions of president and secretary, or successors to both, if both be dead, and may authorize the execution of the certificate of renewal, as hereinbefore provided, but may not perform or exercise any other office or function. A meeting of the directors of the corporation, or of the survivors of them, or of the board, as elected wholly or partly by the stockholders as provided in this section, may be called by any director upon ten days' written notice, delivered personally to, or mailed to the last known post office address of, every other director; and a meeting of the stockholders for the purpose of electing directors, as aforesaid, may be called by any stockholder upon ten days' written notice, delivered personally to, or mailed to the last known post office address of, every other stockholder. The president and secretary, or the officers performing the functions of president and secretary, so elected may take all steps and do all things necessary and proper to be done for the renewal of the existence of such corporation as hereinbefore provided, and their acts in furtherance of such renewal shall be as valid and effective as if performed and done by the last president and secretary, or the officers performing the functions of president and secretary, of such corporation. After a renewal of the existence of

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such corporation shall be effected, the last president, or the officer performing the functions of president, or his successor, elected as provided in this section, shall forthwith call a meeting of the stockholders of such corporation, upon such notice as is required by the Certificate of Incorporation, Charter or By-Laws for a regular meeting thereof, and at such meeting the stockholders shall elect a full board of directors, which board shall then elect such officers as are provided by the statute, certificate of incorporation or by-laws. Such officers and directors shall then conduct the business and affairs of the corporation, under the authority and pursuant to the terms of the certificate of incorporation and the by-laws of said corporation.

Section 5. This Act shall not apply to any Life or Fire Insurance Company, or other company engaged in the insurance business.

Approved February 23, A. D. 1921.

CHAPTER 102

RENEWAL AND REVIVAL OF CHARTERS

AN ACT in relation to the renewal of the charters of corporations.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House of the General Assembly concurring therein) :

Section 1. That any corporation whose charter has expired by reason of failure to renew the same, through oversight or inadvertence, or whose charter has been renewed, but through failure to comply strictly with the provisions of the General Corporation Law, the validity of the renewal has been brought to question, may, at any time before the first day of January, A. D. 1922, procure a renewal and revival of its charter, or a confirmation of the renewal and revival of its charter, for any period, together with all the right, franchises, privileges and immunities and subject to all its duties, debts and liabilities which has been secured or imposed by its original charter, and all amendments thereto, by filing with the Secretary of State a certificate of its last or acting President and Secretary, or the officers performing the functions of President and Secretary, or by such officers to be elected as hereinafter provided, duly sworn or affirmed to by such officers.

Such certificate shall set forth :

1. The name of the corporation, which name shall be the same name it bore when the charter expired or was attempted to be renewed.
2. The name of the city, town or place within the county in which its principal office or place of business is located in this State.

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3. The date when such renewal or revival is to commence, which shall be prior to the date of the expiration of the charter which it is desired to renew, or prior to the date when it was attempted to renew the charter; whether or not such renewal is to be perpetual, and if not perpetual, the time for which such renewal is to continue.

4. That the corporation desiring to renew, and so renewing its charter, was duly organized and carried on the business authorized by its charter until the _____ day of _____, 19____.

A. D. 1 , at which time its charter expired by limitation through inadvertence and oversight on the part of the corporation, or in the case of a corporation whose charter has been renewed but not in strict compliance with the provisions of the General Corporation Law, that it was duly organized, and carried on the business authorized by its charter until the day of A. D. 1 , at which time its charter was renewed but not in strict compliance with the provisions of the General Corporation Law; and that this certificate is filed by the authority of those who were directors or managers of the said corporation at the time its charter expired and who, under the laws of this State and by virtue thereof, became its trustee, or who were elected directors of said corporation, as hereinafter provided.

Section 2. Such certificate shall be filed, copied, recorded, and dealt with, and in all respects shall have the same force and effect as if such certificate had been filed by such corporation before the expiration of its charter, under the provisions of Chapter 65, Revised Statutes of the State of Delaware.

Upon such revival and renewal, or confirmation of renewal, all acts, matters and things done and performed by such corporation within the scope of its charter, since the expiration of the same, or since the attempted renewal of its charter, shall be and hereby are expressly ratified and approved, and all real and personal property, rights and credits, which were of the said corporation at the time of the expiration of its charter, and which have not been disposed of, shall be vested in and restored to the re-

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newed and revived corporation as fully and amply as they were held by the said corporation at and before the time when its charter expired or was attempted to be renewed.

Section 3. Any corporation seeking to renew or to confirm the renewal of its charter under the provisions of this Act shall first pay all City, County, State and franchise taxes and charges which it would, by law, have been liable to pay and chargeable with, if its said charter had not expired; and said corporation shall file with the certificate mentioned in Section 1 of this Act a statement executed and sworn or affirmed to by its last or acting President and Secretary, or the officers performing the functions of President and Secretary. Said statement shall contain the amount of said taxes, and charges so paid, the date of payment, to whom paid, and the period of time covered by said taxes during which they accrued.

Section 4. Before the charter of any corporation shall be renewed and revived, or the renewal of any charter confirmed, under the provisions of this Act, the said corporation shall file under the seal used by it immediately prior to the expiration of the charter of the said corporation, and duly attested by its last or acting secretary, or the officer performing the functions of Secretary, an acceptance of the provisions of the present Constitution of the State.

Section 5. That if the last President and Secretary, or the officers performing the functions of President and Secretary, or either of them of any such corporation so desiring to renew its existence, should be dead at the time of such renewal, the directors of such corporation, or the survivors of them, if not less than three, may elect a successor to such deceased president or secretary, or the officers performing the functions of president and secretary, or successors to both, if both be dead, and if less than three directors of such corporation shall be living when it is desired to effect a renewal of such corporate existence, then the stockholders of such corporation may elect as many directors as may be necessary (together with the surviving directors or director, if any) to constitute a board of three directors; and such

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board may elect a successor to the deceased president or secretary, or the officers performing the functions of president and secretary, or successors to both, if both be dead, and may authorize the execution of the Certificate of Renewal, as hereinbefore provided, but may not perform or exercise any other office or function. A meeting of the directors of the corporation, or of the survivors of them, or of the Board, as elected wholly or partly by the stockholders as provided in this section, may be called by any director upon ten days' written notice, delivered personally to, or mailed to the last known postoffice address of every other director; and a meeting of the stockholders for the purpose of electing directors, as aforesaid, may be called by any stockholder upon ten days' written notice, delivered personally to, or mailed to the last known postoffice address of every other stockholder. The President and Secretary, or the officers performing the functions of president and secretary, so elected, may take all steps, and do all things necessary and proper to be done, for the renewal of the existence of such corporation as hereinbefore provided, and their acts in furtherance of such renewal shall be as valid and effective as if performed and done by the last president and secretary, or the officers performing the functions of president and secretary of such corporation. After a renewal of the existence of such corporation shall be effected, the last president, or the officer performing the functions of president or his successor, elected as provided in this section, shall forthwith call a meeting of the stockholders of such corporation, upon such notice as is required by the Certificate of Incorporation, Charter or By-laws, for a regular meeting thereof, and at such meeting the stockholders shall elect a full board of directors, in accordance with the Certificate of Incorporation or Charter. Such board shall thereupon elect officers, and assume control of the business and affairs of the corporation, as prescribed by the Certificate of Incorporation or Charter.

Section 6. Provided, however, that this Act shall not apply to any Life or Fire Insurance Company, or other Company engaged in the insurance business.

Approved February 23, A. D. 1921.

CHAPTER 103

BANKS

AN ACT in relation to Banks, Savings Societies, and Trust Companies, and regulating the conduct of their business, and prescribing certain powers and duties for the State Bank Commissioner.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The terms "bank" and "banks" as used in this Act shall be deemed to comprehend every bank and every corporation conducting a banking business of any kind or plan (except banking associations organized under the authority of the United States and commonly known as National Banks) whose principal place of business is in this State; and the terms "National Bank" and "National Banks" as used in this Act shall be deemed to comprehend banking associations organized under the authority of the United States and having a principal place of business in this State; and the terms "trust company" and "trust companies" as used in this Act shall be deemed to comprehend every trust company and every corporation doing a trust company business having a principal place of business in this State.

Section 2. It shall be unlawful to conduct a banking business or the business of a trust company within this State except under a corporate charter valid in this State authorizing the conduct of such business in this State.

Section 3. No bank or trust company not actively engaged in business in this State at the time of the adoption of this Act shall open a place of business in this State without having first secured from the State Bank Commissioner a certificate that it has complied with all the requirements of law and that it is authorized to conduct the business specified therein.

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The said Commissioner shall not give any certificate as aforesaid until satisfied by proper evidence that all the requirements of the charter of the corporation applying for such certificate and all the requirements of the laws of this State applicable to such a case have been complied with. Such certificate shall specify the amount of capital actually paid in at the time of the issuance of the certificate.

No certificate shall be issued until the corporation has filed with the Commissioner a duly certified copy of its charter and all amendments thereof, and a copy of its by-laws; and thereafter it shall be the duty of such corporation to file with the Commissioner a duly certified copy of every subsequent amendment of its charter and of every subsequent amendment of its by-laws and a failure to perform such duty within thirty days after any such amendment of its charter or by-laws has been effected, shall render the corporation liable to a penalty of Fifty Dollars to be sued for by the Commissioner in the name of the State of Delaware if he shall consider such failure to have been wilfull.

A fee of Fifty Dollars for every such certificate shall be required by the Commissioner before issuing the same.

Section 4. No bank or trust company shall open any branch office or place of business in this State unless authorized so to do by the certificate of the State Bank Commissioner. No such certificate shall be issued by the said Commissioner, unless satisfied that the applicant has a paid in capital stock to an amount equivalent to at least twenty-five thousand dollars for each office or place of business then established by said corporation in this State and for the branch sought to be established, and a surplus to an amount equivalent to at least twenty-five thousand dollars for each office or place of business then established by said corporation.

A fee of fifty dollars for every such certificate shall be required by the Commissioner before issuing the same.

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Nothing in this section contained shall be deemed to confer on any corporation the power to establish branches not expressly authorized by its charter.

Section 5. Every bank and trust company, shall be subject to the supervision and examination of the State Bank Commissioner, and shall be examined by the said Commissioner at least once in each year, and oftener if the Commissioner shall deem it necessary.

On the occasion of every such examination, the said Commissioner shall in company with one or more of the officers of the corporation visited be given access to every part of the office or place of business visited and to the assets, securities, books and papers of the said corporation.

The examination made by the Commissioner as aforesaid shall be a thorough examination into the affairs of the bank, or trust company visited, its resources and liabilities, the investment of its funds, the mode of conducting its business, and safety and prudence of its management, the acts of its officers, directors, trustees, or managers and its compliance or non-compliance with the provisions of its charter and by-laws and of the statutes of the State of Delaware; and, in connection with such examination, the said Commissioner shall have power to examine, under oath or affirmation, the officers, directors, trustees, or managers, and the employees, of the corporation, relative to its affairs, and, for this purpose, he is hereby authorized to administer oaths or affirmations.

Provided, however, that a bank or trust company which may be a member of the Federal Reserve Bank in the Federal Reserve District embracing the State of Delaware, and which shall be examined by a Federal Reserve Examiner, may be exempted from examination by the said State Bank Commissioner; and the examination by such Federal Reserve Examiner may be accepted by the said Commissioner as a sufficient compliance with the requirements of this Act with respect to ex-

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aminations; and a bank or trust company, whether a member of the Federal Reserve Bank or not, which shall be examined by a Certified Public Accountant, may, in like manner, be exempted from examination by the said Commissioner, and an examination by such Certified Public Accountant may be accepted by the said Commissioner as a sufficient compliance with the requirements of this Act with respect to examinations; provided, that, in every case, a certified report of the examination made by a Federal Reserve Examiner, or by a Certified Public Accountant, shall be filed in the office of the said Commissioner.

Any examination as aforesaid may be made by the deputy or the clerk of the State Bank Commissioner or by any persons designated by the Commissioner, and in such case all the powers vested in the said Commissioner by this section shall be deemed to be possessed by the deputy, clerk or other persons making such examination; provided that when any examination is made without the presence of the Commissioner, he shall give written authority to the person conducting such examination which shall be exhibited to the officers of the bank or trust company visited.

In the case of a National Bank having a trust department in this State such trust department shall be subject to the examination as aforesaid.

That the said State Bank Commissioner shall charge each corporation examined by him, or by his direction, and such corporation shall pay to the said Commissioner, twenty-five dollars on the first twenty-five thousand dollars of its assets, or fraction thereof, and two cents on each one thousand dollars of its assets over twenty-five thousand dollars, for each examination made by said Commissioner, and an additional charge of twenty dollars for the examination of each branch office maintained by such corporation, such charges to be accounted for by said Commissioner as part of the receipts of his office.

Section 6. If the State Bank Commissioner shall, upon

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examination, have reason to believe that the capital of the bank or trust company examined has, in any way, been impaired, he may require such corporation to make good the deficiency, within sixty days from the date upon which he serves notice to that effect. If said corporation shall fail to comply with said notice within the time prescribed, the said Commissioner may forthwith take possession of the place of business of such corporation, and retain such possession until such corporation shall have made good the deficiency, or has been finally liquidated; or a Receiver shall have been appointed to take charge of its business and affairs. The said Commissioner may cause proceedings to be instituted against such corporation, and it shall be the duty of the Attorney General, upon the request of the Commissioner, to institute such proceedings as the nature of the case may require.

Section 7. Every bank and trust company shall make and transmit to the State Bank Commissioner at least four reports during each year, according to the form which may be prescribed by him, verified by the oaths or affirmations of the president or vice-president, and cashier, or treasurer or secretary of such corporation, and attested by the signatures of at least three directors. Every such report shall exhibit under appropriate heads the resources and liabilities of the corporation at the close of business on any day past specified by the Commissioner, and shall be transmitted to the Commissioner within ten days after the receipt of a request or requisition therefor from him. An abstract or summary of the report in such form as shall be prescribed by the Commissioner shall be published by the corporation at its own expense, within two weeks from the date of its transmission to the Commissioner, in one issue of a newspaper published in the town or city where such corporation has a place of business in this State, or if there be no newspaper published there, then in one published nearest thereto in the same county. Proof of such publication shall be furnished by the corporation as required by the Commissioner. The Commissioner shall also have power to call for special reports whenever in his judgment the same are necessary.

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The Commissioner may require a separate report as to each department conducted by any bank or trust company.

Every bank or trust company failing to comply with this section shall be subject to a penalty of twenty-five dollars for each day that it shall continue in such failure; which penalty shall be sued for by the Commissioner in the name of the State of Delaware unless he shall be satisfied that such failure was not wilfull.

National Banks doing business in this State shall make and transmit to the State Bank Commissioner reports on forms furnished by the Commissioner when he shall call upon such banks for such reports; the object and purpose of such reports being the public good and not the regulation of said banks.

The making of reports to the State Bank Commissioner under this section shall be deemed and taken to be in lieu of the making of reports to any other State official except for the purpose of assessment or taxation.

Section 8. Every director, officer, agent, clerk or employee of any corporation affected by the provisions of Sections 5 and 6 of this Act, who wilfully and knowingly subscribes or makes any false statement of facts or false entries in the books of such corporation, or knowingly subscribes or exhibits any false paper, with intent to deceive any person authorized to examine as to the condition of such corporation, or wilfully or knowingly subscribes to or makes any false report, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine or imprisonment, or both, in the discretion of the Court.

Section 9. If the State Bank Commissioner shall deem that the affairs of any bank or trust company are in an unsound condition because of illegal or unsafe investments, or that its liabilities exceed its assets, or that it is transacting business without authority or in violation of law, or that it is unsafe or inexpedient for such corporation to continue business, he shall communicate the facts to the Attorney General whose duty it

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shall be to file in the Court of Chancery in any County where the said corporation is doing business a bill or petition setting forth the facts and applying for an order requiring such corporation to show cause why its business should not be closed. In a proper case made, the Chancellor shall have power to appoint a Receiver to take charge of, settle and close up the affairs of such corporation under the direction of the said Court, and to enjoin it from doing business, or to make such other order or decree as the circumstances shall warrant and to the Court shall seem proper. The Chancellor is hereby empowered to make such rules and regulations, and such orders and decrees in the premises as he shall deem proper.

If the State Bank Commissioner shall for any of the reasons specified in this section think it necessary for the protection of the depositors, or of the stockholders, or of the public, so to do, he may take possession forthwith of the place of business of any bank or trust company and retain such possession until an order of Court be made in the premises.

Section 10. Every bank and trust company (except savings banks and savings societies) shall at all times have on hand a reserve fund equal to at least ten per centum of the aggregate of such of its deposits as are payable on demand. The whole of such reserve fund may, and at least one-third thereof must, consist either of lawful money of the United States, gold certificates, silver certificates, or notes and bills issued by any lawfully organized national banking association, or Federal Reserve Bank notes; and if less than the whole of the reserve fund shall be made up of the money and securities aforesaid, then the residue thereof must consist of money on deposit subject to call in any bank or trust company in this State having a capital of at least fifty thousand dollars and a surplus of at least fifty thousand dollars and approved by the State Bank Commissioner, or in any bank or trust company, or with any individual banker or firm of bankers, approved by the said State Bank Commissioner, doing business either in the City of Philadelphia, the City of New York, or the City of Baltimore.

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The amount to be kept on hand, as provided in this section, shall be called the lawful money reserve.

Every savings bank and savings society in this State, and every bank and trust company in this State conducting a savings department or receiving money on deposit on the condition or with the understanding that the depositor shall not demand or withdraw any money on account of such deposit except after notice given previous to such demand or withdrawal, shall at all times have on hand a reserve fund equal (a) to at least five per centum of its aggregate deposits, if it be a savings bank or savings society, or (b) to at least five per centum of the aggregate of such of its deposits as were received by it on the condition or with the understanding that the depositor should not demand or withdraw any of his deposit except after notice given previous to such demand or withdrawal, if it be a bank or trust company receiving deposits on such condition or with such understanding; provided that both the lawful money reserve against deposits received on the condition or with the understanding that notice shall be given before demand or withdrawal as aforesaid, and also the lawful money reserve against deposits payable on demand must be maintained by every corporation receiving both classes of deposits, provided that the maximum cash reserve required for Mutual Savings Societies shall not be more than Four Hundred Thousand Dollars (\$400,000). The whole of such reserve fund may consist of money on deposit subject to call in any of the depositories hereinbefore specified with regard to the deposit of money reserves, or a part of such fund may consist of money so deposited, and the balance thereof shall then consist either of lawful money of the United States, gold certificates, silver certificates, or notes and bills issued by any lawfully organized national banking association, or Federal Reserve Bank notes.

No money received in a fiduciary character, whether as executor, administrator, guardian or trustee shall be carried or counted as a part of the lawful money reserve.

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The State Bank Commissioner may upon application by any bank, trust company, or savings bank or savings society, if he shall deem it advisable so to do give such applicant written permission to make up one-half of its lawful money reserve in bonds or other obligations of the United States owned absolutely by such applicant and unhypothecated and unpledged, counting such bonds or other obligations at ninety per centum of their market value.

If the reserve of any corporation comprehended by this section shall be less than the lawful money reserve prescribed by this section, such corporation shall not make any new loans or discounts, otherwise than by discounting bills of exchange payable on sight, or by declaring or paying any dividends until the full amount of its lawful money reserve has been restored.

Upon failure of any such corporation to make good its lawful money reserve within thirty days after notice from the State Bank Commissioner, the said Commissioner may treat such corporation as in an unsound condition and may proceed against it accordingly.

Section 11. No bank or trust company shall carry on its books any of its assets at a sum in excess of the cost value thereof except by and with the written consent of the State Bank Commissioner.

Section 12. No bank or trust company shall make any loans, directly or indirectly, to any person, firm, association or corporation, aggregating an amount which, (including any extension of credit to such person, firm, association, or corporation, by means of letters of credit or by acceptance of drafts for, or the discount or purchase of the notes, bills of exchange, or other obligations of, such person, firm, association or corporation) shall exceed the following percentage of the total capital, surplus and undivided profits of the lender;

- (a) Ten per centum, if the loan be without collateral secur-

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ity, except where the total of the capital, surplus and undivided profits of the lender is not more than twenty-five thousand dollars in which case an amount not to exceed twenty per centum of such total may be loaned without collateral security, provided that where such total of the capital, surplus and undivided profits is greater than twenty-five thousand dollars, but does not exceed fifty thousand dollars, a loan or loans not exceeding in the aggregate five thousand dollars to any one person, firm, association, or corporation may be made without collateral security; provided, however, that nothing herein shall prohibit the taking or receiving of any kind, character or amount of security whatsoever, either real or personal, for the protection of any loan made under the provisions of this sub-division, but no such loan or any part thereof shall be considered or construed as a secured loan within the meaning of this sub-division unless the whole thereof has collateral security worth at least fifteen per centum more than the amount of such loan; or

(b) Fifteen per centum, (in addition to the amount that may be loaned under the provisions of sub-division (a) of this section) upon collateral security worth at least fifteen per centum more than the amount of such loan so secured; provided, the aggregate amount which can be loaned under sub-divisions (a) and (b) hereof to any one person, firm, association or corporation shall not exceed twenty-five per centum; of the total capital, surplus and undivided profits of the lender; and provided further that no loan which is without collateral security shall be combined or blended with a loan which has collateral security but that the two classes of loans shall be kept separate and independent, and each shall be represented by a separate evidence of indebtedness; or

(c) Twenty-five per centum upon collateral security worth at least fifteen per centum more than the amount of the loans so secured; provided, however, that when loans so secured are made to this amount, then no loans not so secured shall be permitted in addition to such secured loans.

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None of the limitations or restrictions contained in the previous sub-divisions of this section shall apply to loans, discounts or other extensions of credit secured by bonds or other obligations of the United States, if the market value of such bonds or other obligations exceeds by ten per centum the amount of any such loan, discount or other extension of credit.

In computing loans to any person under this section, there shall be included all liabilities to the lending corporation of any copartnership or unincorporated association of which the borrower is a member, and also all loans made for his benefit or for the benefit of such copartnership or unincorporated associations; and in computing the loans to any copartnership, or unincorporated association under this section, there shall be included all liabilities of its individual members and all loans made for the benefit of such copartnership, or unincorporated association or any member thereof; and in computing the loans to any corporation under this section there shall be included all loans made for the benefit of the corporation.

Section 13. No bank or trust company shall invest more than twenty-five per centum of its total capital, surplus and undivided profits in the stock, bonds or other obligations of any one corporation or political entity or political division except bonds or other obligations of the United States, of the State of Delaware, or of any county, city, town or school district in this state.

Section 14. After the adoption of this Act, no bank or trust company shall purchase shares of its own capital stock, nor make any loan on the faith or pledge of shares of its own capital stock; but nothing in this section shall inhibit such purchase or loan when necessary to prevent loss on debts created prior to the adoption of this Act, nor shall it affect the holding of stock acquired by any bank or trust company prior to the adoption of this Act.

Section 15. Whenever any bank, trust company, or na-

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tional bank shall receive any fund in a fiduciary character, whether as executor, administrator, guardian, trustee, or otherwise, it shall deal with such fund as a separate trust and shall preserve the identity thereof.

Section 16. No bank or trust company shall expend more than its paid up capital and surplus on its place of business and the furnishing and equipment thereof, and the vote of two-thirds of its directors shall be necessary to authorize the purchase of land or of a building, or of the construction of a building, for its place of business.

Section 17. No person shall be eligible for election as director of a bank having a capital stock, or of a trust company, unless such person be a shareholder in his own right, or as trustee or guardian of another, of such bank or trust company; and every person elected to be such a director, who, after such election, shall cease to be a shareholder as aforesaid, or who shall hypothecate, or in any way pledge such stock shall immediately become disqualified as such director; provided that this section shall not be deemed or construed to apply to the State directors of the Farmers' Bank of the State of Delaware, or to the directors of any corporation whose charter is incompatible with the provisions of this section.

Section 18. No bank or trust company shall pledge or hypothecate any of its assets except as follows:

(1) To borrow up to but not exceeding the amount of its capital and surplus actually paid in and undiminished by losses or otherwise;

(2) To borrow in excess of the limitation of sub-division (1) when the State Bank Commissioner shall have given his written consent;

(3) To borrow, in addition to the amounts aforesaid, any amount for the purpose of buying United States Bonds, United

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States Treasury Certificates, or notes or obligations of the United States, and in such case the consent of the State Bank Commissioner shall not be required;

(4) To qualify itself to receive deposits of money of the United States.

The rediscounting, with or without guarantee or endorsement, of notes, drafts and bills of exchange is hereby authorized and shall not be limited by the terms of this Act and shall not be deemed as borrowed money within the meaning of this Act.

No loan made in contravention of this section shall be rendered illegal for this cause as against the lender or holder thereof, but the borrowing corporation shall be subject to appropriate proceedings by the State Bank Commissioner for a violation of law.

No bank or trust company shall pledge any of its assets as collateral security for a loan on a basis that would hypothecate more of its assets at the value at which they are carried on the books of such bank or trust company than one hundred and fifty per centum of the loan.

Section 19. This Act shall not be deemed to repeal Chapter 111 of Volume 30 of the Laws of Delaware but shall be construed as supplementary thereto and amendatory thereof.

Approved March 31, A. D. 1921.

CHAPTER 104

BANKS

AN ACT providing for the assessment and taxation of the shares of the capital stock of banks, banking associations, and corporations doing a banking business, having capital stock, and of Trust Companies having capital stock.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :

Section 1. The terms "bank" and "banks" as used in this Act shall be deemed to comprehend every bank and banking association and every corporation doing a banking business having a capital stock and whose principal place of business is in this State, whether organized under the authority of this State or of the United States; and the terms "trust company" and "trust companies" as used in this Act shall be deemed to comprehend every trust company and every corporation doing a trust company business having capital stock and whose principal place of business is in this State.

Section 2. The shares of the capital stock of banks and trust companies shall be assessed and taxed according to their true value, to be determined in the manner hereinafter prescribed; provided, however, that the assessment and taxation shall not be at a greater rate than is made or assessed upon other moneyed capital in the hands of individual citizens of this State.

Section 3. The value of each share of stock of each bank or trust company shall be ascertained and determined by adding together the amount of the capital, surplus and undivided profits of such bank or trust company, and by dividing the result by the number of outstanding shares of such bank or trust company.

Section 4. For purposes of assessment, the president, cashier or treasurer of every bank and trust company, shall on or before the tenth day of July in the year nineteen hundred and

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twenty-one, and on or before the tenth day of July in each year thereafter, file with the State Bank Commissioner of this State a true statement, verified by the oath of such president, cashier, or treasurer, setting forth the name of such bank or trust company, the location of its principal place of business, the name and residence of each of its stockholders, and the number of shares held by each, the amount of its capital, surplus, and undivided profits, as the same are indicated by its books on the first day of July of the year in and for which such statement is filed. There shall be kept at the principal place of business of every bank and trust company a full and correct list of the names and residences of its stockholders, and of the number of shares held by each, which said lists shall be subject to the inspection of the State Bank Commissioner, his deputy and clerk.

Section 5. The rate of tax upon the shares of stock of banks and trust companies shall be, throughout this State, one-fifth of one per centum upon the value thereof, as ascertained and fixed in the manner in this Act provided, and the owners of such stock shall be entitled to no deduction from the taxable value of their shares because of the personal indebtedness of such owners.

Section 6. The State Bank Commissioner shall after the tenth day of July and prior to the first day of August in each year, beginning with the year nineteen hundred and twenty-one, ascertain from an inspection of the statements filed as aforesaid, and from any other sources of information which may be open to him, the names and places of business of all banks and trust companies in this State, the number of shares of capital stock of each issued and outstanding, the aggregate amount of the capital, surplus and undivided profits of each, the true value of the total capital stock of each issued and outstanding, and the true value of a single share of each, determined in accordance with the provisions of Section 3 of this Act, and the amount of tax levied upon a single share of each in accordance with the provisions of this Act. The determination of the amount to be

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the tax on a single share of stock of each of said banks and trust companies as aforesaid, shall be deemed to be the assessment and levying of the tax on each share of its stock subject to taxation under the Constitution of this State and of the United States, subject to review and correction as hereinafter provided.

The amount determined to be the tax on a single share of stock as aforesaid shall, within fifteen days after the same has been determined as aforesaid, be certified by the State Bank Commissioner to the bank or trust company whose stock is affected; and it shall be the duty of every such bank and trust company forthwith to notify its stockholders thereof by posting in some conspicuous place in its principal place of business a list of its stockholders and the amount of the tax levied upon a single share of stock as aforesaid, and in the event that any bank or trust company shall fail to give notice as aforesaid, the State Bank Commissioner is authorized to publish at the expense of such bank or trust company the list of stockholders of such bank or trust company and the amount of the tax levied on a single share of its stock in one issue of a newspaper published in the County wherein the principal place of business of such bank or trust company is located; provided, however, that the failure to give such notice or to make such publication shall not be deemed or held to invalidate any tax imposed under this Act or to affect the collection thereof.

The assessment so made as aforesaid shall be reviewed and corrected by the State Bank Commissioner upon application by any party interested, prior to the first day of September in the year in which the tax is levied, provided, that upon such application good cause be shown for such correction. The State Bank Commissioner shall without delay send written notice of his determination upon any such application to the applicant, by mail to the applicant's postoffice address.

Section 7. The shares of stock of stockholders taxed under this Act shall be deemed and held to be taxed in the City or Town where the principal place of business of the bank or trust company issuing such capital stock is located and not

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elsewhere. The tax assessed against such stockholders as aforesaid shall be a lien upon their stock from the first day of September in the year in which the tax is determined as aforesaid.

Section 8. If any bank or trust company shall by authority of a resolution duly adopted by its directors, notify the State Bank Commissioner that it desires to relieve its stockholders of any assessment of their stock under this Act, and that it will on or before the first day of October in each year thereafter until the adoption of a resolution of withdrawal as hereinafter provided pay to the said State Bank Commissioner a sum equal to one-fifth of one per centum of the aggregate of its capital, surplus and undivided profits without any deduction, then and in such case it shall not be necessary for such bank or trust company to include in its statement filed under the provisions of Section 4 of this Act, the names, residences and holdings of its stockholders, or to notify its stockholders of the assessment of their stock as provided in section 6 of this Act. Every bank and trust company notifying the State Bank Commissioner as aforesaid shall be deemed and held to be indebted to the State of Delaware in a sum equal to one-fifth of one per centum of the aggregate of its capital, surplus and undivided profits, payable on or before the first day of October in each year until the adoption of a resolution of withdrawal as hereinafter provided, and the said indebtedness together with a penalty of one per centum for each month or fraction of a month after the first day of October that the same remains unpaid may be collected by the State Bank Commissioner in the name of the State of Delaware by distress or by action of debt; provided, that nothing herein contained shall be construed as a taxation of property as distinguished from capital stock. The notice to the State Bank Commissioner of the desire to relieve stockholders of the assessment of their stock shall be by filing with the said Commissioner a copy of the resolution of the directors authorizing such notice (the correctness of which copy shall be certified to by the president, or the cashier, or treasurer of such bank or trust company) at the time that such bank or trust company shall file with the said Commissioner the statement required by

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section 4 of this Act. Such bank or trust company shall have no right to withdraw or revoke the said notice for the year in which it was filed as aforesaid, but may withdraw or revoke such notice as to any subsequent year provided that it file with the State Bank Commissioner on or before the first day of July of such subsequent year a copy of a resolution of its directors (certified to as aforesaid) withdrawing or revoking its aforesaid notice, and until the filing of such a copy of a resolution of withdrawal, the said notice shall be deemed to be binding upon said bank or trust company.

After the filing of a resolution as aforesaid with the State Bank Commissioner, he shall not assess or levy a tax against any of the shares of the stock of the bank or trust company filing such resolution until after the filing of a copy of a resolution of withdrawal as aforesaid.

Section 9. In case of neglect, refusal or failure on the part of any bank or trust company to comply with the provisions of this Act, with reference to the filing of the statements herein required to be made, on or before the time herein provided for the filing of the same, or to submit to the inspection of the State Bank Commissioner, or his deputy, or clerk, the list or statement herein required to be kept in the office of such company and submitted to inspection, the company so neglecting, refusing or failing shall be liable to a penalty of one hundred dollars and an additional sum of twenty-five dollars for each day during which such neglect, refusal or failure continues; which penalty shall be collected by the State Bank Commissioner in the name of the State of Delaware in the same manner as provided in the preceding section.

Section 10. Taxes imposed under this Act shall be due and payable on or before the first day of October in the year in which they are assessed, and after said date shall be collected by the State Bank Commissioner (together with a penalty of one per centum for each month or fraction of a month that the same shall remain unpaid after said date) by public sale of the stock affected to be made by the State Bank Commissioner at

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the principal place of business of such bank or trust company in this State, after giving the stockholder affected thirty days' notice of the amount of such tax and penalty and the time and place of sale, such notice to be by registered letter addressed to the stockholder at his postoffice address, as the same appears on the statement filed with the said Commissioner. The said Bank Commissioner shall also have the right to require any bank or trust company to withhold the payment of dividends to the stockholder affected and to pay such dividends, or so much thereof as may be necessary, to the said Commissioner in payment of the said tax and penalty.

Section 11. All moneys collected or received under this Act shall be the moneys of the State of Delaware, and it shall be the duty of the State Bank Commissioner to settle for the same with the Auditor of Accounts and to pay all amounts so collected and received to the State Treasurer forthwith.

Section 12. It shall be the duty of the Attorney General to act as the legal representative of the State of Delaware in all actions or proceedings had under this Act, and to render legal assistance to the State Bank Commissioner in executing the provisions hereof.

Section 13. Nothing in this Act shall be deemed or held to repeal, alter or modify any other statute, or any provision of any other statute relative to taxation.

Approved March 31, A. D. 1921.

CHAPTER 105

BANKS

AN ACT repealing laws taxing Banks and Trust Companies enacted prior to January 1, 1919, except as to taxes accrued prior to the adoption of this Act.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That all Acts and parts of Acts taxing banks or trust companies, or any of them, enacted prior to the first day of January nineteen hundred and nineteen be and the same are hereby repealed; provided, however, that nothing in this Act shall be deemed to release or extinguish any taxes which had accrued to the State of Delaware prior to the adoption of this Act, but that all laws for the enforcement and collection of taxes shall be deemed to continue in full force for the collection of taxes accrued prior to the adoption of this Act until all of such taxes have been fully paid.

Approved March 28, A. D. 1921.

CHAPTER 106

BANKS

AN ACT providing for the taxation of Savings Banks and Savings Societies not having capital stock.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. Every savings bank and savings society, not having capital stock outstanding, doing business in this State shall pay to the State for the privilege of carrying on its business in this State an annual tax, which shall be two cents upon every one hundred dollars of the amount of the average of the deposits held by it during the calendar year preceding the year in which such tax is levied ascertained as hereinafter provided.

Section 2. The State Bank Commissioner shall perform all the duties relative to the assessing and collecting of the tax herein imposed.

Section 3. Every savings bank and savings society liable to pay a tax under this Act shall on or before the tenth day of July in each year beginning with the year nineteen hundred and twenty-one file with the State Bank Commissioner a written report upon blanks prepared and furnished by said Commissioner for that purpose, of the amount of the average of the deposits held by it during the calendar year preceding the year in which such report is filed. Such report shall be verified by the oath of the president, or the cashier, or the treasurer of such savings bank or savings society.

Section 4. The amount of the average of the deposits held by any such savings bank or savings society during any calendar year shall be determined by adding together the amounts of deposits held upon the last day of each calendar month during the year covered by such report and dividing the result thus obtained by twelve, which result shall be taken to be the amount of the

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average of the deposits held by such savings bank or savings society during the said year and the last said amount shall be the amount upon which shall be computed the tax due the State by such savings bank or savings society.

Section 5. In case any report required by Section 3 of this Act shall be unsatisfactory to the State Bank Commissioner, or in case any such report is not made as herein required, then the State Bank Commissioner shall make an estimate of the amount of the average of the deposits held by the savings bank or savings society whose report was unsatisfactory or which had neglected to make any report as aforesaid by adding together the amount of deposits held by such savings bank or savings society as shown in each call report of such savings bank or savings society made to the State Bank Commissioner during the calendar year covered by such reports and dividing the result by the total number of said call reports during said calendar year. The result thus obtained shall be taken as the amount of the average of the deposits held by such savings bank or savings society during the said year, and shall be the amount upon which the tax herein imposed shall be computed.

Section 6. It shall be the duty of the State Bank Commissioner to notify each savings bank and savings society affected by this Act, after the tenth day of July and prior to the first day of August in each year, beginning with the year nineteen hundred and twenty-one, of the amount of the tax imposed under this Act on such savings bank or savings society. Any party interested may within fifteen days after such notice apply to the State Bank Commissioner for a review of the tax assessed, and if on such review it shall appear to the said Commissioner that there was error in the determination of the tax, he shall correct the same in accordance with the facts and the law, and he shall certify his determination in the premises to such applicant without delay.

Section 7. The tax imposed under this Act shall be payable to the State Bank Commissioner on or before the first day of October after notice thereof has been given by the State Bank Commissioner as aforesaid. If such tax is not paid on or before

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the first day of October in the year in which it is imposed, the savings bank or savings society liable to pay the same shall pay to the State Bank Commissioner in addition to the amount of such tax a sum equal to one per centum thereof, for each month or fraction of a month that the tax remains unpaid; which sum shall be added to the tax and paid or collected therewith.

Section 8. Such tax and the aforesaid penalty for its non-payment shall be a lien upon all the real and personal property of the savings bank or savings society liable to pay the same from the time it is payable until the same is paid in full, and may be collected by the State Bank Commissioner by distress and sale of any of the said property, or he may sue for the same in an action of debt. All proceedings for the collection of such tax and penalty shall be in the name of the State of Delaware.

Section 9. It shall be the duty of the Attorney General to act as the legal representative of the State of Delaware in all actions or proceedings had under this Act, and to render assistance to the State Bank Commissioner in executing the provisions hereof.

Approved March 28, A. D. 1921.

CHAPTER 107

BUILDING AND LOAN ASSOCIATIONS

AN ACT in relation to Building and Loan Associations and regulating the business of such associations.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. This Act shall be known as the Building and Loan Association Act, and shall be applicable to all corporations specified in section two of this Act, and to such other persons, associations, co-partnerships or corporations who shall, by violating any of the provisions of this Act, become subject to the penalties provided herein; provided, that the provisions of this act shall not apply or have any relation to building and loan associations incorporated under the general corporation laws of this State which do not transact, or attempt to transact, business within the boundaries of this State.

Section 2. The provisions of this act shall apply to and be enforceable against all corporations, persons, firms, partnerships, associations, trustees or combinations of persons whatsoever, which or who transact, or attempt to transact, a building and loan business, or a business of like kind or character, or where, by its or their charter, constitution, by-laws, or by a declaration of trust, or other device, or by a contract or agreement the members or customers are required to pay regular installments to a common fund or series, from which fund or series loans are made to said members, customers, or to others for the purpose of building homes or buildings, purchasing building sites, paying off liens or debts against real estate, or for other purposes, within the boundaries of this State.

Section 3. Premiums, when used in this act, shall be taken to mean a sum paid by the borrower over and above the legal rate of interest charges for any loan. Fines, when used in this

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act, shall be taken to mean a penalty imposed for the non-payment of dues and interest when due. Membership fees, when used in this act, shall be taken to mean a fee to be paid by the stockholder upon subscribing for shares of stock.

Section 4. The power to collect premiums, fines and membership fees within the limits of this Act, or as permitted by any other law of this State, is hereby granted to building and loan associations; provided, that fines shall not be imposed against and collected from any one shareholder for more than six consecutive months at a greater rate than five cents per month for each dollar past due, and after the expiration of six months, at a greater rate than one-half of one per cent per month for each dollar past due. Any shareholder who shall be six months in arrears in the payment of his or her monthly dues may be required to withdraw any balance due such shareholder from the association. In the event of any shareholder refusing to accept settlement from the building and loan association, or in the event of a building and loan association not being able to locate any shareholder, such shareholder being six months or more in arrears, the building and loan association may deposit the amount due such shareholder to his or her credit in the Farmers' Bank of the State of Delaware.

Section 5. All premiums, fines and membership fees collected shall be uniform in respect to all shareholders or borrowers in any one building and loan association. The funds so collected by building and loan associations may be loaned to its stockholders and others upon bonds and mortgages against real estate, and upon such other sufficient security, including shares of its own capital stock, as the board of directors of any building and loan association may authorize.

Section 6. The withdrawal value paid in any one fiscal year to any shareholder of a building and loan association, after having paid all dues, interest, premiums, fines and membership fees due by him for a period of one year or more, shall be computed upon a uniform basis in respect to all such withdrawals in said fiscal year.

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Section 7. The funds of a building and loan association, existing under the laws of this State, shall not be invested in any corporation stocks, provided, that nothing herein contained shall prevent a building and loan association from acquiring any corporation stocks to secure itself against loss of money owing to it by any borrower. Such stocks so acquired shall be sold within sixty days after the State Bank Commissioner may direct.

Section 8. When from the distribution of the profits of any building and loan association, the profits accruing to any series of stock shows that said series has matured according to the provisions of the by-laws of such association, such association shall not make any further investment of its funds until all of said matured series of stock shall have been paid the owners thereof. Such building and loan association shall allow such owners of matured stock interest at the rate of not less than five (5%) per centum per annum upon the matured value of such series of stock during the time after the first month that the same remain unpaid. In no case shall the retirement of said stock be deferred longer than for a period of twelve months after such stock shall have matured.

Section 9. No person, persons, firm, corporation or co-partnership shall engage in the business of a building and loan association, or a business like unto a building and loan association, within the limits of the State of Delaware until a license shall have been obtained as hereinafter provided.

Section 10. Every building and loan association created under the laws of this State, and doing business in this State, shall pay to the State Bank Commissioner, for the use of the State, at the time of filing its annual report, an annual license fee of five (\$5.00) dollars. Every building and loan association created under the laws of any other State and doing business within the boundaries of this State shall pay to the State Bank Commissioner, for the use of the State, at the time of filing its annual report, an annual license fee of one hundred (\$100.00) dollars.

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Section 11. Every building and loan association existing under the laws of this State, or any other State, and doing business within the boundaries of this State shall annually at the end of its fiscal year furnish to the State Bank Commissioner a detailed statement of its condition at the close of its last fiscal year, giving a full, detailed statement showing the gross amount of dues, interest, premiums, fines, repayments and other funds received and collected by such association for the said fiscal year, and the amount of its earnings, and its aggregate assets and liabilities at the close of said fiscal year, and any other information that the said State Bank Commissioner may request, and which said statement shall be verified by the oath or affirmation of the president and secretary, duly administered by some person authorized by the laws of the State to administer oaths. Such report shall be made and forwarded to the State Bank Commissioner within sixty days from the date of the ending of such fiscal year.

Section 12. Every building and loan association doing business in this State which shall have assets consisting of investments in any other State, territory, or the District of Columbia, other than this State, shall, in the statement required by the foregoing section, enumerate such assets, stating the amount held by said association in each of the states, territories, or the District of Columbia, in which such assets are located; every building and loan association doing business in this State, created by the laws of any other state, territory, or the District of Columbia, shall, in addition to the detailed statement hereinbefore required of said association in this State, showing the interest, premiums, repayments and dues collected by said association within this State, set forth the amount of assets held by said association in this State, and the amount of liabilities due shareholders residing in this State.

Section 13. If it shall appear from the annual statement filed with the State Bank Commissioner, that a building and loan association is in a safe or solvent condition, and is transacting business in compliance with the law, then the Commissioner shall issue to such building and loan association a license authorizing

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said association to transact its business in this State for one year from the date thereof unless the Commissioner shall deem it necessary, for the protection of the shareholders of the association, or of the public, to sooner revoke the same, which he is empowered to do; and the Secretary of State is authorized to issue to the State Bank Commissioner suitable license blanks to be delivered to such building and loan association upon the payment of the annual license fee hereinbefore prescribed.

Section 14. The State Bank Commissioner may require annually at the end of its fiscal year the publication of a report by a building and loan association in one issue of a newspaper located within the county wherein such building and loan association has its office, showing in detail the assets and liabilities at the close of said fiscal year; and the expense of such publication shall be paid by the building and loan association.

Section 15. Every building and loan association doing business in this State, but created by the laws of any other state or territory shall, at the time of filing its annual statement, required under the provisions of this act, file with the State Bank Commissioner a certificate under its corporate seal and the hand of its president or head officer, attested by the secretary, designating the name and residence of some person or agent within this State upon whom service of process may be had.

Section 16. Proceedings may be instituted against any building and loan association doing business within the boundaries of this State, whenever it shall appear to the State Bank Commissioner that the affairs of any building and loan association are in an unsound condition because of illegal or unsafe investments, or that its liabilities exceed its assets, or that it is transacting business without authority or in violation of law; or that it is unsafe or inexpedient for such corporation to continue business; and it shall be the duty of the Attorney General, on notice by the State Bank Commissioner, to institute such proceedings against the building and loan association as the nature of the case may require. For any of the reasons mentioned in this Section the State Bank Commissioner may forthwith take posses-

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sion of such building and loan association's property and business and retain such possession until the termination *if the action or proceeding instituted by the Attorney General, or until the appointment of a receiver by due process of law.

Section 17. In the event of any building and loan association violating any of the provisions of this Act, or any law of the State, the State Bank Commissioner may revoke or withhold its license to do business.

Section 18. Every building and loan association organized under the laws of any other State, and every building and loan association hereafter organized under the laws of this State before beginning business within the boundaries of this State, shall file with the State Bank Commissioner a certified copy of its charter, constitution and by-laws, and of all amendments thereto. Said Commissioner shall carefully examine the same and if he finds that they provide a just and equitable plan for the management of the association's business he shall issue to such association a certificate of authority permitting it to begin business. But if he finds the provisions of said charter, constitution and by-laws to be impracticable, unjust, inequitable or oppressive to any class of shareholders he shall withhold his certificate of authority. It shall not be lawful for any association hereafter organized under the laws of this State, and doing business within the boundaries of this State, for the purpose above set forth, to transact any business except the execution of its articles of incorporation, the adoption of its constitution and by-laws and the election of directors and officers until it shall have procured the certificate of authority above provided for.

Section 19. It shall be lawful for a building and loan association to set aside in its treasury, out of its earnings, a contingent fund which shall be used only for the purpose of paying losses and necessary expense incurred in the maturing of any of its series of stock, and for the purpose of stabilizing and making equal, as near as may be, the time of maturity of all of said series; but said contingent fund shall at no time exceed two (2%) per

*So enrolled.

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centum of the amount due shareholders for dues paid in. The funds so set aside may be invested as other funds of the association.

Section 20. Any building and loan association wilfully violating or failing to observe and comply with any of the provisions of this act shall be subject to and liable to pay a penalty of not less than one hundred (\$100.00) dollars for each violation thereof, and for each failure to observe and comply with any of the provisions of this act. Such penalty may be collected in an action brought in the name of the State in any court having jurisdiction thereof. Any building and loan association which neglects or refuses for thirty (30) days after final judgment in any such action to pay and discharge the amount of such judgment shall have its authority to transact business in this State revoked by the State Bank Commissioner, and such revocation shall continue, and such building and loan association shall not again be authorized or permitted to transact business in this State until it shall have paid the amount of any such judgment, or until the same has been vacated or reversed.

Section 21. Every agent or officer of any building and loan association which shall not have obtained authority to do business in this State under the provisions of this act, or the authority of which shall have been revoked by the State Bank Commissioner, who shall solicit or carry on business for said association in this State shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five (\$25.00) dollars, and in default of payment of such be imprisoned for a term not exceeding thirty (30) days.

Section 22. Every building and loan association having an office or place of business in this State and transacting business in this State shall be subject to the supervision and examination of the State Bank Commissioner, and shall be examined by said Commissioner at least once in each year and oftener if the Commissioner shall deem it necessary.

On the occasion of every such examination, the said Com-

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missioner shall in company with one or more of the officers of the corporation visited be given access to every part of the office or place of business visited and to the assets, securities, books and papers of the said corporation.

The examination made by the Commissioner as aforesaid shall be a thorough examination into the affairs of the corporation visited, its resources and liabilities, the investment of its funds, the mode of conducting its business, the safety and prudence of its management, the acts of its officers, Directors or Trustees, and its compliance or non-compliance with the provisions of its charter and by-laws and of the statutes of the State of Delaware; and, in connection with such examination, the said Commissioner shall have power to examine, under oath or affirmation, the officers, directors or trustees, and the employees, of the corporation, relative to its affairs, and, for this purpose, he is hereby authorized to administer oaths or affirmations; PROVIDED, that the said Commissioner, his Deputy, or Clerk, before proceeding with the examination of any corporation shall, if required, exhibit to the officers of the said Corporation satisfactory evidence of his authority to make such examination.

Provided, however that a building and loan association which shall be examined by a Certified Public Accountant, may be exempted from examination by the said Commissioner, and an examination by such Certified Public Accountant may be accepted by the said Commissioner as a sufficient compliance with the requirements of this Act with respect to examinations; provided, that, in any case, a certified report of the examination made by a Certified Public Accountant, shall be filed in the office of the said Commissioner.

Any examination under this Act may be made by the State Bank Commissioner in person or by his Deputy, or his Clerk, or by special persons designated by him, when so authorized by the Commissioner and acting under his orders.

That the said State Bank Commissioner shall charge each corporation examined by him, or by his direction, and such cor-

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poration shall pay to the said Commissioner, twenty-five dollars on the first twenty-five thousand dollars of its assets, or fraction thereof, and two cents on each one thousand dollars of its assets over twenty-five thousand dollars, for each examination made by said Commissioner, and of each branch office maintained by such Corporation, such charges to be accounted for by said Commissioner as part of the receipts of his office.

Section 23. Nothing in this Act shall be construed to affect the legality of investments heretofore had, and nothing herein contained shall be deemed to impair the rights, privileges and powers of any corporation, heretofore organized, contained in its charter or certificate of incorporation, and vested rights acquired under the acts hereinafter repealed and actually existing and enjoyed shall not be divested or disturbed.

Section 24. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved April 7, A. D. 1921.

CHAPTER 108

ARTISANS SAVINGS BANK

AN ACT to amend an Act entitled "An Act to renew the Act to incorporate the Artisans' Savings Bank and the Acts supplementary thereto, and to amend the same," being Chapter 63, of Volume 12, Laws of Delaware, as amended by Chapter 122 of Volume 15, Laws of Delaware, and by Chapter 182 of Volume 19, Laws of Delaware, and Chapter 250 of Volume 23, Laws of Delaware, and Chapter 161 of Volume 25, Laws of Delaware.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branch concurring therein) :

Section 1. That Section 3 of the Act, entitled "An Act to incorporate the Artisans' Savings Bank," passed at Dover, on the 28th day of February, A. D. 1861, as heretofore amended and renewed, be and the same is hereby further amended by striking out the words "not exceeding five hundred thousand dollars," wherever the same occurs in said Section; the object of this amendment being to permit the bank to increase its surplus fund and to remove the limitation upon the amount of surplus, which said bank may retain for the security of its depositors.

Section 2. That all Acts or parts of Acts inconsistent herewith be and the same are hereby repealed.

Section 3. This Act shall be taken and deemed to be a public Act.

Approved March 15, A. D. 1921.

CHAPTER 109

THE CITY OF WILMINGTON

AN ACT to authorize The Mayor and Council of Wilmington to borrow money and to issue bonds to secure the payment thereof for the purpose of acquiring title to a lot of land in the City of Wilmington, and also to authorize the Wilmington Institute to erect, equip, use and occupy a building on said lot of land for the purposes of a Public Library.

WHEREAS, The Wilmington Institute has acquired title to a certain lot of land in the City of Wilmington, the value of which is in excess of the sum of two hundred thousand dollars, and has accumulated a fund known as the building fund consisting of investment securities approximating three hundred thousand dollars in value; which land and fund it purposes devoting to the uses of a public library;

AND WHEREAS the said The Wilmington Institute is in possession of a large and valuable collection of books suitable for the uses of a public library;

AND WHEREAS the said The Wilmington Institute is the owner of other property, the rents and income from which it purposes devoting to the uses of a public library and to the other objects set forth in its charter;

Now therefore be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all members of each branch concurring therein) :

Section 1. That The Mayor and Council of Wilmington is hereby authorized and empowered to accept from The Wilmington Institute a deed vesting in the City of Wilmington the title to that certain lot of land lying on the South side of Tenth Street between Market and King Streets in the City of Wilmington, with the easement appurtenant thereto, and more particularly de-

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scribed in a certain Indenture dated March 16, 1918, executed by Arthur L. Bailey and wife to The Wilmington Institute, and recorded in the office of the Recorder of Deeds for New Castle County, at Wilmington, in Deed Record V, Vol. 27, Page 403, and to pay the sum of two hundred thousand dollars to The Wilmington Institute upon the delivery of such deed.

Section 2. That for the purpose of providing the said sum of two hundred thousand dollars, The Mayor and Council of Wilmington is hereby authorized and empowered to borrow upon the faith and credit of the City of Wilmington a sum of money not exceeding two hundred thousand dollars, and for the purpose of securing the payment of said sum with interest, the said The Mayor and Council of Wilmington is hereby authorized and empowered to issue bonds of the City of Wilmington.

Section 3. Said bonds of the City of Wilmington authorized to be issued under the provisions of this Act, shall be issued and payment therefor made in the manner provided for in the Act passed at Dover, February 9, 1855, entitled, "An Act to Provide a Sinking Fund for the City of Wilmington," and the various amendments and supplements thereto. Said bonds shall be signed by the Mayor of the City of Wilmington under the seal of said City, and shall be countersigned by the City Treasurer and City Auditor of said City in the same manner as other City Sinking Fund Bonds, and it shall be the duty of said officers to execute said bonds when directed by The Council so to do, and it shall be the duty of the City Treasurer and City Auditor to keep a record of said bonds. Said bonds, may be sold when and as The Council of The Mayor and Council of Wilmington shall determine.

Section 4. That upon the vesting of the title to the lot of land aforesaid in the City of Wilmington as aforesaid, the said The Wilmington Institute is hereby authorized and empowered to erect, construct, equip and furnish upon said lot of land a library building for the use of a free library and reading room, in accordance with plans and specifications prepared or approved by the Board of Managers thereof; and the said The Wilmington Institute is further authorized to enter into possession of the said

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lot of land for the purpose aforesaid, and to remove from said land any building or other structure thereon and to use the material thereof in the erection of said library building or to sell or dispose of the same or any part thereof.

That the said The Wilmington Institute shall devote the two hundred thousand dollars received from The Mayor and Council of Wilmington as aforesaid, and its fund known as the building fund and consisting of investment securities approximating in value the sum of three hundred thousand dollars, and all moneys realized from any sales of material taken from any building or structure now on the said lot of land, to the cost of the erection, construction, equipment and furnishing of the library building aforesaid.

Section 5. That upon the completion of the library building aforesaid, the said The Wilmington Institute is hereby authorized and empowered to place therein its collection of books and other reading matter, and to take possession of the said land and building and to manage the same as a free public library, and to retain such possession and management so long as it shall devote its books and the said building to the purposes of a free public library, and to the objects stated in its charter.

That the said The Wilmington Institute is further authorized and directed to devote perpetually the income from all of its other property of whatever character toward the maintenance of a free public library in the building aforesaid.

Section 6. That The Mayor and Council of Wilmington is hereby authorized and directed forthwith to enter into a contract with the said The Wilmington Institute effectuating the provisions of this Act.

Section 7. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 28, A. D. 1921.

CHAPTER 110

THE CITY OF WILMINGTON

A FURTHER SUPPLEMENT to the Act entitled "An Act to incorporate the Young Men's Association for Mutual Improvement of the City of Wilmington."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branch concurring therein) :

Section 1. That Section 2 of the supplement to the Act entitled, "AN ACT TO INCORPORATE THE YOUNG MEN'S ASSOCIATION FOR MUTUAL IMPROVEMENT OF THE CITY OF WILMINGTON", passed at Dover, April 24, 1893, is hereby repealed.

Section 2. That Section 2 of the Act to which this is a supplement be and the same is hereby amended by inserting the following: Section 2. That the control of the funds, property and estate and the direction and management of the concerns of said corporation shall be vested in a Board of eighteen managers, to consist of the mayor, president of city council, three members of the finance committee of city council, president of the board of public education, chairman of the committee on teachers of said Board, and the superintendent of public schools, all of the City of Wilmington, and ten other persons to be elected by the stockholders of The Wilmington Institute.

Section 3. That Section 1 of the supplement of the above-mentioned Act, passed at Dover, March 7, 1873, be amended by striking out from said Section the following words, viz: "with the privilege of increasing the same from time to time by a vote of the stockholders, so that the value of its property shall not exceed the sum of one hundred and fifty thousand dollars."

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Section 4. That this Act shall be deemed and taken to be a public Act and the power to revoke the same is reserved to the Legislature.

Approved March 31, A. D. 1921.

CHAPTER 111

THE CITY OF WILMINGTON

AN ACT creating a Department of Public Safety for the City of Wilmington, and prescribing its powers and duties.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House concurring therein):

Section 1. That on and after the first day of May, A. D. 1921, there is hereby created a department for "The Mayor and Council of Wilmington," to be known as the "Department of Public Safety," which shall consist of three members, who shall be citizens of the United States, qualified electors of the State of Delaware, and residents of the City of Wilmington for five years preceding the date of appointment.

Section 2. The aforesaid Department of Public Safety shall be composed as follows:

Samuel K. Smith, who shall have full power and authority to act as a director of the said Department from May first, 1921, and shall serve for a term of six years, or until his successor shall be duly appointed and confirmed; William B. Megear, who shall have full power and authority to act as a director of the said Department from May first, 1921, and shall serve for a term of four years, or until his successor shall be duly appointed and confirmed; I. Pusey Wickersham, who shall have full power and authority to act as a director of said Department from May first, 1921, and shall serve for a term of two years, or until his successor shall be duly appointed and confirmed. At the expiration of the term of office of either of the said directors, the vacancy thereby created shall be filled by the Mayor of "The Mayor and Council of Wilmington" by the ap-

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pointment of a competent person at least thirty days next preceding the expiration of the said term.

Said appointment shall be subject to the confirmation of "The Council", of "The Mayor and Council of Wilmington." Said person so appointed shall hold office for and during the term of six years from the first day of May ensuing, or until his or her successor shall have been appointed and confirmed.

Vacancies in the said Department, caused by death, resignation or otherwise, shall be filled by the Mayor for the residue of the unexpired term, and shall also be subject to confirmation by "The Council", of "The Mayor and Council of Wilmington."

The directors of the said Department shall not hold any other municipal office while serving as a director, nor shall all of the said directors be of the same political party.

Any director may be removed for malfeasance in office by the Mayor of "The Mayor and Council of Wilmington", with the concurrence of two-thirds of all the members elected to "The Council", of "The Mayor and Council of Wilmington."

Section 3. The said directors of the Department of Public Safety shall each receive a salary of Seven Hundred and Fifty Dollars, per year, to be paid to them as other salaried officials of the City of Wilmington are paid. "The Council" of "The Mayor and Council of Wilmington", may, however, increase the said salaries to such an amount as they may deem reasonable.

Before entering upon their duties, each director shall enter into a bond to "The Mayor and Council of Wilmington", with one or more sureties, in the penal sum of Ten Thousand Dollars, conditioned for the faithful discharge of his official duties; said bond to be approved by the Judge of the Municipal Court, for the City of Wilmington, to be kept and recorded by the Clerk of the Council, together with the certificates of appointment of the said directors.

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The said directors shall also take and subscribe before the said Judge of the Municipal Court, in addition to any other oath, required by law to be taken by municipal officials, a further oath or affirmation that in every appointment and removal to be made by the said directors to and from the said Department, except in the discharge of superfluous employees, he will in no case and under no pretext, appoint or remove any fireman, policeman, officer or other person for any other cause or reason than individual fitness, or unfitness.

Section 4. That on and after the first day of May, A. D. 1921, the said Department of Public Safety shall have full jurisdiction, management and control of the Police Department of said City, and all the powers and authority conferred, and shall be subject to all the duties enjoined, upon the members of the Board of Police Commissioners of the City of Wilmington by the laws of this State, and the ordinances of the said City relative to the Police Department of said City; and the said board of Police Commissioners of the City of Wilmington be and the same is hereby abolished, and the terms, duties and powers of the members of the said Board are hereby terminated, on the first day of May, A. D. 1921.

Section 5. That on and after the first day of May, A. D. 1921, "The Mayor and Council of Wilmington" is hereby authorized and empowered through the agency of the "Department of Public Safety" hereby created, constituted and appointed, and their successors in office, to prepare a plan for the establishment of a fire department for said City, and the estimated costs thereof, and to take over for public use, by purchase, compromise, condemnation as hereinafter provided, or otherwise, such real and personal property of the several fire companies of the City of Wilmington, Delaware, as were in existence and recognized by "The Mayor and Council of Wilmington" as a part of the Fire Department of the said City, on September first, A. D. 1918, as a competent appraiser, or appraisers may deem worthy of being used in a fire department of a city of its class, together with such other property as may be necessary, at such price

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or prices as may be determined in any of the above proceedings, or agreed upon by the Department of Public Safety in agreements to purchase the same. If said plan is approved by "The Council", of "The Mayor and Council of Wilmington", the said Department of Public Safety shall proceed to acquire by gift, purchase, condemnation as hereinafter provided, or otherwise, such real and personal property as may be contemplated in said plan. Any Fire Company may reserve the right to accept or reject the amount agreed upon by the appraisers.

Section 6. For the purpose of defraying all the costs and expenses of acquiring such real and personal property of fire companies, or otherwise, as are considered by the above mentioned competent appraiser or appraisers, as necessary and worthy of being used by the said Department of Public Safety, "The Council", of "The Mayor and Council of Wilmington", shall have power to issue bonds to an amount not exceeding the cost of such real and personal property so taken over, plus the cost of such additional real estate and personal property that is deemed by the Department of Public Safety necessary to buy, to establish an efficient fire department, and as contemplated in said plans heretofore approved by "The Council." Said bonds shall be Sinking Fund Bonds to be issued in manner and form as "The Council", of "The Mayor and Council of Wilmington", shall determine, the same to be approved as to form by the City Solicitor of the City of Wilmington.

All the aforesaid bonds shall be signed by the Mayor, and countersigned by the City Treasurer and City Auditor, in the same manner as other bonds of the City of Wilmington, and a record thereof shall be made and kept by the said Auditor and Treasurer respectively.

Section 7. The Department of Public Safety may, from time to time, submit to "The Council," of "The Mayor and Council of Wilmington", plans for extensions, enlargements or additions to its original plan as approved by "The Council" of "The Mayor and Council of Wilmington", for the further improve-

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ment of the police and fire departments of the City of Wilmington, as it may deem desirable; upon receiving the approval of "The Council", of "The Mayor and Council of Wilmington", the same shall be added to and made a part of the original plan. "The Council", of "The Mayor and Council of Wilmington", upon giving its approval thereto, may then proceed by ordinance to borrow upon the faith and credit of "The Mayor and Council of Wilmington", such additional sum or sums of money as may be necessary to enable the said Department of Public Safety to carry out the said supplemental plan, to be expended in the same manner as heretofore prescribed in this Act for the original plan.

Section 8. Immediately upon the taking over of said real and personal property of the several fire companies, the contracts being in force and in operation between "The Council", of "The Mayor and Council of Wilmington", and the several fire companies, shall cease, terminate and become absolutely void and of no effect.

Section 9. Immediately after the taking over by the Department of Public Safety of said real and personal property, the Fire Department of the City of Wilmington shall be under the control and management of the said Department of Public Safety, and the said Department shall have the power, and it shall be its duty, to cause to be done, performed and observed, all the regulations, matters and things prescribed by law, or by the charter and ordinances of the City of Wilmington relating to fire protection, in the City of Wilmington.

Section 10. The said Directors of the Department of Public Safety shall have the power to appoint or remove all subordinate officers, agents, members and employees of the said Department, fill vacancies therein, and fix and regulate the salaries or compensation of all such officers, agents, members and employees. The said directors shall also have full power to make such rules and regulations as they may deem necessary for the proper control and management of said department and the gov-

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ernment of its officers, agents, members and employees, and they shall have full authority to enforce such rules and regulations by any lawful means.

That the chauffeurs and drivers now in the Fire Department shall be retained so long as qualified to render efficient services. And that any active member now connected with the Volunteer Fire Department shall be given the preference if they desire to become a member of said department created hereby.

Section 11. The said Directors of the Department of Public Safety shall, some time before the first day of May of each and every year, present in writing to "The Council", of "The Mayor and Council of Wilmington", a budget, the same showing an itemized statement of the amount of money that the said Directors estimate will be needed by the said department to cover all the costs of conducting the Department of Public Safety for the ensuing year. After careful consideration of the said budget, "The Council", when it shall make its yearly appropriations for the conduct of other departments and agencies of the said City of Wilmington, shall make an appropriation in such amount of money as will meet the requirements of the budget as submitted by said department, and be consistent with the estimated income of the said city for the ensuing fiscal year. The amount of such appropriation, so made by "The Council", shall be paid in four equal quarterly instalments on the first day of August, the first day of November, the first day of February, and the first day of May in each year into the City Treasury, and said amounts shall be kept separate for the sole use of the Department of Public Safety.

Section 12. All accounts contracted by the said Department of Public Safety in and about the control and management of the affairs of said Department, shall be paid by the City Treasurer of the City of Wilmington out of said appropriation, upon proper vouchers duly approved by the Directors, or any two of them, and countersigned by the City Auditor.

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Section 13. Within three months after the taking over by the "Department of Public Safety", of the real and personal property of the several fire companies, the said "The Mayor and Council of Wilmington" shall pay to the proper officers of the Volunteer Firemen's Relief Association, the sum of Fifteen Thousand Dollars, the same being in full payment for all claims and demands whatsoever.

Section 14. In case the said Department of Public Safety shall for any cause, be unable to agree with the owner, or owners, for the purchase of any land, and buildings as selected by said department as aforesaid, for the purpose aforesaid, it shall be the duty of the Superior Court of the State of Delaware, in and for New Castle County, or before any judge thereof in vacation, upon the application of the said Department of Public Safety, to order notice of the said application to be published in one newspaper of the City of Wilmington, once in each week for the space of one month, which notice shall describe the said lands and premises, intended to be condemned, together with the names of the owner, or owners, or the reputed owner, or owners, thereof, and shall require all persons interested in said land and premises as aforesaid to appear at the next term of the Superior Court after the expiration of said notice, on a day specified in said notice. The said Superior Court shall have jurisdiction and power over proceedings for such condemnation, and at the time therein specified, or as soon thereafter as the Court may direct, shall prepare an issue for a trial before a jury under the direction of the judge or judges, of said Court, and to empanel the jury to assess the value of said lands and premises, and the damages which the owner or owners thereof, or any person having an interest therein, will sustain by reason of the condemnation and appropriation of said land and premises, for the purposes of this Act, taking into consideration all the circumstances of benefit and detriment to result to such owner, or owners.

A special jury to assess the value of said lands and premises, and the damages the owner, or owners, thereof will sus-

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tain by reason of the condemnation and appropriation of said lands and premises, taking into consideration all the circumstances of benefit and detriment to result to such owner, or owners, shall be ordered by the Superior Court, upon the application of any party to the proceedings, instead of empaneling a jury for such purposes as heretofore provided in this Section, in the same manner and form, and the same procedure as is now provided for striking special juries under the laws of the State of Delaware in other cases. The Court shall order that a view of the premises shall be made by the jury before any evidence is given in the trial of the case. After the evidence introduced by any of the parties to such proceedings shall have been heard, and after due deliberation, the jury shall return their assessment of damages after the consideration of the benefits, as aforesaid, in writing, duly signed by each of them, into Court, which return shall be confirmed by the Court, unless within ten days a motion for a new trial shall be made, and the reasons in support thereof filed, and the proceedings under this Section shall be entered of record in said Court. The amount of such damages after the consideration of the evidence awarded in such return, after confirmation by the Court, together with the costs of said proceedings, may be paid into said Court, to be deposited by said Court to the credit of the owner, or owners, in the active depository bank of the City of Wilmington, or the said owner, or owners, may waive such payment in open Court, which waiver shall be duly entered of record and signed before the Prothonotary of said Court; and thereupon the said Superior Court shall make an order directing the Sheriff of New Castle County to execute to "The Mayor and Council of Wilmington" a deed of said lands and premises and rights, reciting the proceedings in the case, which deed shall convey to the said "The Mayor and Council of Wilmington", all the right, title and interest of all persons in said lands and premises, and rights, which have been condemned as aforesaid. Whenever damages shall have been assessed as aforesaid, and the said Department of Public Safety shall neglect to pay or render the amount determined as due under said damages to the person, or persons, entitled to the same, or to deposit the same in the manner herein

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provided within a period of three months from the day of final approval by the Court, this condemnation proceeding as herein provided, shall fail and lapse, and no further application or proceeding shall be made for condemning said land and premises and rights for one year from the date of said previous application.

In all cases arising under this Act there shall be of right, a writ of error or certiorari from the Supreme Court to said Superior Court to review any final judgment entered therein.

Section 15. The City Solicitor shall be the legal advisor and attorney for the Department of Public Safety; he shall prosecute all actions against a member, officer, agent or employee of the Department of Public Safety for malfeasance or misfeasance in office; he shall be the legal counsel of said Department for officers thereof in all civil actions brought by or against it, and shall conduct the same in his official capacity.

No compensation other than the regular salary shall be allowed for such services.

Section 16. All Acts, or parts of Acts, inconsistent with this Act are hereby repealed, and this Act shall be deemed to be a public Act.

Approved March 16, A. D. 1921.

CHAPTER 112

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AN ACT to amend Chapter 123, Volume 29, of the Laws of Delaware by giving additional powers to the Board of Harbor Commissioners.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branching concurring therein):

Section 1. That the Act entitled "An Act Creating the Board of Harbor Commissioners for the City of Wilmington, and Prescribing its Powers and Duties", being Chapter 123, Volume 29, of the Laws of Delaware, be and is hereby amended by adding at the end of Section 12, the following:

Section 13. Commissioners appointed under the provisions of Chapter two hundred and six, Volume Seventeen, Laws of Delaware, to view the Christiana River from where the bridge of the Philadelphia, Baltimore and Washington Railroad Company crosses the same to the mouth thereof, and the Brandywine River from where the bridge known as the Market Street Bridge crosses the same to the mouth thereof, and that part of the River Delaware upon which the City of Wilmington fronts, and the shores and margins of said rivers, within the limits aforesaid, and to fix, alter, readjust, establish and determine lines, beyond which no wharf, pier, bulkhead or other structure or obstruction shall be erected, placed or maintained in the tideway of said rivers within the limits aforesaid, having performed their duties in that behalf, and having returned in writing to the Council of Wilmington their proceedings, together with plots showing said lines, in accordance with said Statute, no person shall erect, place or maintain in the tideway of said rivers or any of them, within the limits aforesaid, any wharf, pier, bulkhead or other structure or obstruction beyond the lines established and determined by said Commissioners in and by their return as afore-

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said, except as hereinafter provided. Provided, however, that nothing contained in this Section shall be construed to render unlawful or to prevent the erection and maintenance of suitable abutments, piers, piling and spans for bridges that are or may be authorized by the Laws of this State or of the United States, or the erection and maintenance of suitable fenders and bulkheads for the protection of drawbridges, lawfully authorized and constructed, from ice and freshets, such protecting fenders and bulkheads, however, not to be extended into the waterway within the lines of the open span or draw, or obstruct navigation or interfere with the free passage of vessels through the same. Whenever such protecting fenders or bulkheads shall be deemed necessary for the safety of any drawbridge by the Levy Court of New Castle County, having charge of the construction and maintenance of such bridges, they may be so erected and constructed.

Section 14. The Board of Harbor Commissioners, created under the provisions of Chapter 123, Volume 29, Laws of Delaware, shall hereafter have full power in their discretion to, from time to time, alter, readjust, establish, fix, determine and extend the exterior line of wharves, piers and bulkheads or other structure in any of the navigable rivers or streams, within the limits of the City of Wilmington; and in every such case such alteration or readjustment, establishment or determination of said line, shall be drawn and recorded on the returns or plots, in the Office of the Recorder in and for New Castle County, and when said exterior line has been so altered, readjusted, established or fixed, determined or extended, said line shall be the legal line for all the purposes contemplated by this Act. The said Board of Harbor Commissioners shall also keep and maintain, in their office, a complete copy of said returns or plots, duly certified copies of which, or the record thereof, shall be competent evidence for all purposes. Said Board shall also have power to restore and replace, where necessary, the landmarks establishing said lines whenever said landmarks shall be found to have been destroyed or removed.

Section 15. Whenever any person or persons shall desire

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to construct, extend, alter, improve or repair any wharf or other building in the nature of a wharf, pier or other harbor structure, situate within the City of Wilmington, such person or persons shall make application to the Board of Harbor Commissioners, in writing, stating the nature and extent of such proposed structure, extension, alteration, improvement or repairs, and file in the office of the said Board, the plans and specifications showing fully the proposed structure, extension, alteration, improvement or repair, and produce satisfactory evidence of title to the premises on which such proposed structure, extension, alteration, improvement or repair is to be erected or made. If such proposed structure, extension, alteration, improvement or repair, in the opinion of the said Board, will encroach upon the waterway, the Board shall give notice of a public hearing thereon, and the time and place of hearing such application, to all parties interested, by advertising such hearing twice a week for two successive weeks, in two newspapers of general circulation published within the said City, and by posting notice upon the said premises. If the Board, upon such hearing, or without such hearing, where such hearing is not required by the provisions hereof, shall approve such proposed structure, extension, alteration, improvement or repair, and the plans and specifications submitted therefor, the Board shall give its assent thereto, and issue a license or permit therefor, and cause the fact of the issue of such license or permit to be recorded in the Office of the Board in a book to be kept for that purpose. Provided, however, that necessary repairs, costing One Hundred Dollars or less, and not affecting the stability or strength of the structure, may be made without first procuring said license or permit.

Section 16. Whenever any person or persons shall intend to erect or construct any building or other structure, or to alter or repair any building or other structure already erected, on ground supported by bulkheads, or on ground back of any water front or bulkhead, to be physically connected, or already physically connected with, or to be used or already used, as appurtenant to, any wharf, or harbor structure, situate within the City of Wilmington, and for such purpose shall have applied for

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a permit from the building inspector in said City, the said building inspector shall notify the Board of Harbor Commissioners of such application, and shall thereafter grant the permit applied for, only after the application shall have received the approval of the Board of Harbor Commissioners.

Section 17. In all cases where any license or permit has been given by the said Board of Harbor Commissioners, permitting the erection, construction, extension, alteration, improvement or repair of any wharf, pier, bulkhead, building, or other harbor structure, within the limits of the said City of Wilmington, the person or persons, to whom such license or permit has been granted, shall, within six months from the date of said license or permit, commence the work for which such license or permit shall have been granted, and shall prosecute such work with due diligence to completion, otherwise said license or permit shall become void. Provided, however, that all licenses or permits granted for the erection, extension, alteration, repair or improvement as aforesaid, prior to the passage of this Act, shall become void within six months after this act shall take effect, unless said work shall have been begun thereon and shall be prosecuted with due diligence to completion.

Section 18. Any person, who shall at any time, erect, place, or extend, any wharf, pier, bulkhead, or other structure, within the limits of the City of Wilmington, extending into the tideway of any of the rivers within said City limits, without first having obtained therefor, a license from the Board of Harbor Commissioners, as herein provided, shall be guilty of maintaining a public nuisance, and said wharf, pier, bulkhead or other structure, shall be deemed a public nuisance, and said person, upon conviction therefor, in the Court of General Sessions, shall be fined not less than One Hundred Dollars or more than One Thousand Dollars, or be imprisoned for the term of six months, or both, in the discretion of the Court; and said Court, if such public nuisance shall not then have been abated, shall order the Sheriff of New Castle County forthwith to abate the same under the direction of the Board of Harbor Commissions of the City of

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Wilmington, and shall issue to said Sheriff the writ of said Court commanding him to levy and make of the goods and chattels, lands and tenements of the defendant, the costs and expense of such abatement by said Sheriff; and all the lands and tenements of the defendants, within New Castle County, shall be bound for the amount of said costs and expense, from the time of the issuance of said writ; such writ shall be executed upon either the real or personal property of the defendant, or both, and returned on the first day of the next term of said Court, the Sheriff giving ten days' notice, in a daily newspaper, published in the City of Wilmington, of the sale of the property levied on, by an advertisement describing the property to be sold, and appointing the day, hour and place of sale thereof. The sale of any lands and tenements under such writ shall be subject to the confirmation of said Court, and upon confirmation thereof, said Court shall order the execution of a deed or deeds to the purchaser or purchasers, conveying to him, her or them, the lands and tenements so sold. Such conveyance shall have the same operation, and vest the same title, as a deed by the Sheriff of lands and tenements sold under a writ of venditioni exponas, issuing out of the Superior Court of the State of Delaware. If such sale of real estate shall not be confirmed, said Court may issue further orders of sale thereof, to be executed in like manner. The purchase money of real estate so sold shall not be applied to the payment of such costs or expense of abatement, but shall be held by the Sheriff, subject to the order of said Court, until confirmation of the sale. Provided, however, that nothing in this Section contained, shall be construed to limit or qualify the power of the Chancellor to restrain by injunction, the erecting, placing, or maintaining any wharf, platform, pier, bulkhead, or other structure or obstruction, or any culvert, or sluiceway, contrary to any of the provisions of this Act. And provided further, that said Board of Harbor Commissioners shall have full power and authority, forthwith, to abate and remove any wreck, bar, rock, abandoned material or property, or other accidental obstruction in said rivers, or any of them, within the limits aforesaid, which shall, in the opinion of said Board, be dangerous to navigation; and provided further, that the Chan-

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cellor shall have power to restrain, by injunction, any improper exercise by said Board of Harbor Commissioners of the summary power of removal or abatement hereinabove conferred upon said Board. The said Board of Harbor Commissioners shall have power, for the purpose of defraying the costs and expenses of such abatement or removal to sell the property or material so removed, at public sale, first giving ten days' notice thereof in a daily newspaper published in the City of Wilmington, by advertisement describing the property to be sold and appointing the day, hour and place of sale thereof; the balance, if any, of the proceeds of said sale, after defraying such costs and expense, together with costs of sale, shall be paid to the owner or owners of such property or material, or, in case such owner or owners be unknown to said Board of Harbor Commissioners, shall be deposited in any approved depository of the City of Wilmington, to the credit and subject to the order of the Court of General Sessions. The said Board of Harbor Commissioners shall also have power to recover the amount of the costs and expense of such abatement or removal, or any part thereof, in an action of debt, to be brought by said Board, in the name of "The Mayor and Council of Wilmington", against the owner or owners of the property or material so abated or removed, or the person or persons who shall have caused or maintained the nuisance so abated or removed.

Section 19. Nothing herein contained shall be taken or construed to prevent the Council of Wilmington from constructing and maintaining proper sluices or culverts and waterways for the drainage of said City, or to prevent the present public drains or gutters from being emptied into the rivers within the limits of the said City of Wilmington, or to prevent the construction or maintenances of sluiceways, or waterways, for the drainage of marsh or low lands within the limits of said City.

Section 20. The breadth of water front appertaining to the land of each proprietor, or owners, on the banks, or shores, of said rivers, within the limits aforesaid, shall be determined by protracting the lines of such land to the line established by

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laws as the limit to which wharves or other structures may be *build, whenever such protraction of said lines will not result in giving to the said owner more, or to any other riparian owner, less, than his proportionate share of frontage on said wharf line. But in case of conflict between riparian owners arising from the divergence or convergence of the lines of their lands, or the lines of any public street, when the same shall be protracted as aforesaid, the said Board of Harbor Commissioners is authorized and empowered to settle and determine the lines and bounds of said owners respectively on said wharf lines; and the said Board of Harbor Commissioners shall thereupon make report in writing of their determination in the premises, with a plot of the lines and frontage so established by them, and file such report and plot in the Office of the Recorder, and retain a copy thereof, as a part of the records of their office. A certified copy of said plot shall be competent evidence for all purposes.

Section 21. The said Board of Harbor Commissioners shall have full power and authority to direct and control the mooring of ships and vessels in the harbor within the limits of the said City, and the position in which they shall lie at the wharves and docks, and the anchoring of ships and vessels in the harbor within the limits of said City, and to make and enforce such rules and regulations in respect thereto, as they shall deem necessary, with penalties for the breach thereof. Provided that such rules and regulations shall not be contrary to the Constitution and Laws of the United States, or of the State of Delaware.

Section 22. The Board of Harbor Commissioners shall, upon application of the master or owner of any vessel or the shipper or consignee of any cargo coming into port in a damaged condition, view the said vessel or cargo, and certify to the underwriter, or other parties interested, the extent and character of said damages, and may perform such other duties, in the premises, as are usually discharged by such officers. And the said Board shall charge and receive such compensation therefor, as

*So enrolled.

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shall be fixed by the rules of said Board, to be paid by the party requiring such services.

Section 23. The said Board of Harbor Commissioners may, from time to time, when deemed necessary, elect harbor officers, who shall hold office during the pleasure of said Board. Said officers shall enforce, and superintend, the execution of all laws of this State, the rules and regulations of the said Board of Harbor Commissioners, and the ordinances of the City of Wilmington, in relation to the docks, wharves and harbor within the limits of said City, and in relation to the regulating and stationing ships and vessels in the tideway of said river, or at the docks and wharves within said City limits, and all other rules and regulations of the said Board of Harbor Commissioners. It shall also be their duty to enforce any and all orders of said Board of Harbor Commissioners, touching the abatement or removal of obstructions or public nuisances in the waters of the said rivers within the limits aforesaid. For the purposes aforesaid, the said harbor officers shall, within the limits aforesaid, have all the power and authority of a county constable or policeman of said City, and he shall have the right to call to his assistance, in discharge of his duties, the Sheriff, or any constable of New Castle County, or any police officer of said City. If any master or captain of any ship or vessel shall refuse or neglect to comply with the directions of any harbor officer, in matters within the jurisdiction of his office, or if any person whomsoever shall obstruct or prevent the said harbor officer in the execution of his duties, such master, captain or other person, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be fined not less than Twenty Dollars nor more than Five Hundred Dollars.

Section 24. Whenever the owner, owners or lessee of any wharf, pier, or bulkhead, within the limits of said City, shall fail to keep and maintain the adjoining dock, docks, or slips cleaned and free from obstructions, it shall be lawful for the Board of Harbor Commissioners, upon default for thirty days after the service of notice on such owner or owners, by said

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Board, to clean or cause said dock, docks, or slips, to be cleaned and freed from such obstruction, and to apportion the expense thereof among the owner, owners or lessees, of the said wharves, piers, and bulkheads adjoining such dock, docks or slips, in proportion to the extent of their wharves, piers or bulkheads, and to collect the cost and expense of cleaning said docks, from said owner or owners, by filing liens therefor, and issuing process thereupon, as is provided by law in the case of liens filed for the removal of nuisances, and all liens filed to collect the expense of said work shall be filed by the City Solicitor.

Approved April 7, A. D. 1921.

CHAPTER 113

THE CITY OF WILMINGTON

AN ACT providing for a Police Pension Fund: for members of the Police Force of the City of Wilmington.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branch thereof concurring therein) :

Section 1. Whenever a member of the police force of the City of Wilmington shall have become disabled or incapacitated while in the active performance of official duty and whenever any member of said force who has performed faithful continuous service as such member for a period of not less than fifteen years shall have become permanently incapacitated from performing such regular active duty, he may be retired by the Police Commissioners of the City of Wilmington from regular active service and placed upon the retired list, and all members of said force, who shall have performed faithful continuous service as such member for a period of at least twenty-five years shall, upon their own application, be placed upon the retired list, whether they are disabled or not. Each person so retired shall be entitled to receive from the fund herein established an amount equal to one-half of the amount of his salary at the time of his retirement, so long as he may remain upon the retired list, said sum to be paid monthly, provided said fund shall be sufficient for the payment of all persons entitled to receive same, and in case it shall not be sufficient for that purpose at any time, then the claim of all persons entitled shall abate proportionately, but said fund at no time shall be reduced below the sum of one hundred thousand dollars.

Section 2. No member of said force shall be so retired until he has been duly notified by said Police Commissioners of their intention to so retire him, and until he has had a fair opportunity of being heard in opposition thereto, provided that any member of said force deeming himself entitled to the benefits of this Act,

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may make written application to said Police Commissioners for that purpose. No member of said police force shall be placed upon said retired list unless he shall have first undergone an examination as to his physical condition to be made by a Board of Physicians, consisting of the Police Surgeon of the City of Wilmington, the family physician of the said police officer, and a third reputable physician of the City of Wilmington to be selected by the other members of said Board; said Board shall report in writing to the Police Commissioners the result of said physical examination together with a statement as to how far, in the opinion of said Board, the officer examined is incapacitated from performing regular active duty on said police force; upon the receipt of said report of said Board of Physicians, the Police Commissioners may retire such officer in accordance with the provisions of this Act.

Section 3. Said Commissioners may at any time require any officer on the retired list, except those retired by reason of having served twenty-five years, to be re-examined by the Surgeon of said force or some other competent physician authorized by said Board to act in the premises, and if on such re-examination said officer is reported capable of performing regular duty, he may be required by said Commissioners to return to regular duty in the same rank and grade in which he was serving at the time of his retirement.

Section 4. The widow or sole dependent parent of any member of the Police Force, or retired member thereof, who shall have lost his life in the performance of duty, or who shall have died from other causes, shall receive a pension equal in amount to one-half of the amount of pension such member would have been entitled to as a retired policeman at the time of his death, provided however, that no widow shall be entitled to a pension who shall have married such member after he shall have been placed on the retired list, and provided further, that if any widow entitled to a pension as aforesaid shall remarry, or shall lead and live an immoral life, then such pension shall cease, provided however, that if any widow or dependent parent of any police officer shall receive any money under and by virtue of Chapter 124,

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Volume 28, Laws of Delaware, such money so received by them or any of them, shall be deducted from the amount that they, or any of them would be entitled to receive under this section.

Section 5. The Board of Trustees of the Police Pension Fund shall consist of the members of the Police Commission of the City of Wilmington or other Board or body of officials having control of the Police Department of the City of Wilmington; the Chairman of the Finance Committee of the Council of Wilmington, the Chairman of the Police Committee of the Council of Wilmington, and five members of the Police Force of the City of Wilmington, said five members to be elected annually by the vote of the members of the Police Force of the City of Wilmington. The Presiding Officer of the Police Commission of the City of Wilmington, or of any other Board or body of officials having charge or control of the said Police Department shall be the President of the Board of Trustees of the said Police Pension Fund. The Board of Trustees of the Police Pension Fund shall appoint a Secretary from among their own number. The said Secretary shall execute a bond for the faithful performance of his duties with respect to the Police Pension Fund in such sum and form and with such surety as will be satisfactory to the said Board of Trustees. The cost of said bond shall be defrayed from the proceeds of the fund.

Section 6. All moneys collected in payment of fines imposed by said Police Commissioners upon members of the Police Force, all moneys deducted or withheld from the pay of members of the Police Force by reason of absence from duty from any cause, all moneys donated to this fund, all moneys derived from the sale of unclaimed property coming into possession of said Police Department, and all rewards and testimonials paid to the members of the Police Force, shall be credited to said Police Pension Fund. The Trustees of the Police Pension Fund may also receive such annual sums from each member of the Police Force as he may voluntarily agree to, to be paid monthly to said Police Pension Fund, which sum shall not be less than one per cent of the salaries of all members of the Police Force of the City of Wilmington, who shall participate in the benefits of said Police

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Pension Fund. The City Council of Wilmington shall annually appropriate not less than five thousand dollars which shall be credited to the Police Pension Fund.

Section 7. The Treasurer of the City of Wilmington shall be the custodian of said fund and shall disburse the same upon written order of the Board of Trustees. Said Treasurer shall execute a bond for the faithful performance of his duties with respect to this fund and in such sum and form and with such surety as will be satisfactory to said Board of Trustees. The cost of said bond shall be defrayed from the proceeds of the fund. The securities belonging to the fund shall be kept in a Safe Deposit Company, to be approved by the Trustees of the Police Pension Fund, and access to the safe of said fund shall only be had by the Treasurer jointly with either the President or Secretary.

Section 8. The Board of Trustees of the Police Pension Fund may invest any part of said Police Pension Fund that they deem proper in national, state, county or municipality bonds, said Board of Trustees shall make a report to the City of Council of the City of Wilmington of the condition of said fund on the first day of April of each year. The fiscal year of the Police Pension Fund shall begin on the first day of July of each year, and end on the thirtieth day of June the following year.

Section 9. Chapter 128, Volume 29, Laws of Delaware, and all Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed, but this Act shall not repeal, alter or effect Chapter 124, Volume 28, Laws of Delaware.

Approved March 16, A. D. 1921.

CHAPTER 114

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This is AN ACT to amend Chapter 207, Volume 17, Laws of Delaware, entitled "An Act to revise and consolidate the statutes relating to the City of Wilmington" as amended by Chapter 177, Volume 24, Laws of Delaware, by providing for the erection and maintenance and operation of a city crematory or crematories or garbage disposal plant or plants and for the issuance of bonds for the erection thereof.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House thereof concurring herein) :

Section 1. That Chapter 207, Volume 17, Laws of Delaware, entitled "An Act to Revise and Consolidate the Statutes Relating to the City of Wilmington" as amended by chapter 177 volume 24, Laws of Delaware be and the same is hereby amended by striking out all of Section 7 of said chapter 177, volume 24, Laws of Delaware and inserting in lieu thereof, a new section to be known as Section 7:

Section 7. That Section 137, Chapter 207, Volume 17, Laws of Delaware be amended by inserting between the *work "thereof" and the word "and" in the seventh line of said section, the following "The said Board of Health whenever, in its opinion, it shall become necessary, or to the best advantage of the City so to do shall submit to the Council of The Mayor and Council of Wilmington a plan or plans for the acquisition of such property as may be necessary for the erection thereof of a city crematory or crematories or garbage disposal plant or plants, together with the estimated cost therefor. The Council shall approve or disapprove of said plan by a majority vote. If said plan is approved, then the said Board of Health shall proceed to acquire by gift, purchase or condemnation such land

*So enrolled.

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as may be included in such plan for the purpose of building thereon such crematory or crematories, garbage disposal plant or plants as may be necessary to adequately provide for the disposal of the garbage of the City of Wilmington. The said Board of Health shall construct, maintain and operate and shall have and exercise full power and control over said crematory or crematories, garbage disposal plant or plants, under such rules and regulations and provision as it by resolution may establish. For the sole purpose of paying for the land, acquired under the provisions of this act, and for the building and constructing such crematories or crematory, garbage disposal plant or plants the Mayor and Council of Wilmington shall and is hereby authorized and empower to borrow upon the faith and credit of the City of Wilmington, such sum of money as it by ordinance shall determine to enable the said Board of Health to carry out the provision of this act in accordance with the plan proposed and submitted by said Board to the Council, and approved by it.

The Bonds of the City of Wilmington authorized to be issued, under the provision of this act, shall be issued and payment made in the manner provided by an act passed at Dover, February 9th, A. D. 1855, entitled "An Act to Provide a Sinking Fund for the Payment of the City Debt of Wilmington," and the various amendments and supplements thereto.

After the erection of said crematory or crematories, garbage disposal plant or plants the said Board of Health shall have power if, in its discretion, it deems it to the best advantage of the City may make and award a contract for the collection and disposal of the garbage and offal of the City and shall award by contracts to the lowest and best bidder in the manner now or hereafter prescribed by ordinance, or the said Board of Health may maintain and operate said crematory or crematories, garbage disposal plant or plants as hereinbefore provided.

This act shall take effect immediately after its passage and shall be deemed and taken to be a public act.

Approved March 31, A. D. 1921.

CHAPTER 115

THE CITY OF WILMINGTON

AN ACT to raise revenue for the City of Wilmington by requiring license fees from motor vehicles used in carrying passengers for hire.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branch thereof concurring therein) :

Section 1. That the Mayor and Council of Wilmington shall have power to issue licenses to and to require and receive a license fee from the owner or owners of all motor vehicles operated within the City of Wilmington and for the use of which as passenger vehicles a fare or hire is charged; and also to enact and promulgate all necessary rules and regulations covering the amount of fare or hire which may be charged for the operation of said motor vehicles in the carrying of passengers within the City of Wilmington, provided, however, that not more than Fifty Dollars per motor vehicle shall be charged for the license thereof, and provided further that the provisions of this act shall not apply to motor vehicles propelled by electric or steam power and operated upon tracks.

Section 2. That all acts or parts of an act inconsistent herewith are hereby repealed.

Approved March 31, A. D. 1921.

CHAPTER 116

CITIES AND TOWNS

An ACT extending to women citizens of each and every incorporated town in the State of Delaware the right to vote at municipal elections, in their respective towns, on equal terms and conditions with men citizens thereof.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch thereof concurring therein) :

Section 1. That on and after the approval of this Act, women citizens of each and every incorporated city and town in the State of Delaware shall have the right to vote at municipal elections in their respective cities and towns, on equal terms and conditions with men citizens thereof; and in all such incorporated cities and towns all citizens shall hereafter be assessed and taxed without distinction as to sex.

Section 2. That all acts and parts of acts inconsistent with the provisions of this Act be and the same are hereby repealed to the extent of such inconsistency.

Approved March 28, A. D. 1921.

CHAPTER 117

CITIES AND TOWNS

AN ACT to amend Chapter 176, Volume 25, Laws of Delaware, entitled "An Act to incorporate the Town of Elsmere, New Castle County," by providing a method of nomination and election of the officers of said town.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each Branch concurring therein):

Section 1. That Chapter 176, Volume 25, Laws of Delaware, entitled "An Act to incorporate the Town of Elsmere, New Castle County" be and the same is hereby amended by striking out all of Section 4 thereof and inserting in lieu thereof the following new section, to be known as Section 4.

Section 4. An election shall be held annually in the Town of Elsmere, on the second Saturday in April, for the election of an Alderman, a Treasurer, Assessor, and two or three Town Commissioners, (as the case may be, according to whether there are two or three to be elected to take the places of those whose terms then expire). Said Alderman, Treasurer and Assessor shall each be elected for a term of one year and said Commissioners shall be elected for a term of two years, and until their successors are duly elected. The Commissioners who were elected in the year nineteen hundred and twenty shall continue as such for the full term for which they were elected. Said election shall be held from one o'clock until six o'clock in the afternoon, at such place as shall be determined and fixed by the Town Commissioners. At least ten days previous to such election, due notice thereof, and of the time and place thereof, shall be given by said Commissioners. At all such elections the votes shall be received by three qualified voters of said Town appointed by the said Commissioners at any regular or special meeting of said Commissioners held in the month preceding said

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election. One of said persons so appointed shall be designated as the Inspector and the other two as the Judges of Election, and the three shall be known as Officers of Election, and no such person shall be a candidate for any office at any such election while acting as such officer of election. The result of the balloting for said officers of said Town shall be ascertained by the said Officers of Election.

The officers who shall conduct any such election as aforesaid, or a majority of them, shall be the Judges thereof and shall decide all questions of the legality of the votes offered. Immediately after the election is closed, the votes shall be publicly read and counted, and the persons having the highest number of votes for Alderman, Assessor or Treasurer shall be declared elected. The three candidates (or two candidates, as the case may be) for Commissioner having the highest number of votes for such office shall be declared elected. In case of a tie of any of the persons voted for, the election shall be determined by lot, that is, the names of the persons having a tie vote shall be written on identical slips and concealed from the person who shall draw the same, and one of said Officers of Election shall draw one of said slips, and the person whose name appears on said slip shall be the person elected. Immediately after such election, said Officers of Election shall enter in a book to be provided for that purpose, a minute of such election, containing the names of all persons who were candidates for office, designating the office for which they were candidates, and showing the number of votes received by each, and they shall subscribe to the same and deliver said book to said Commissioners at their organization meeting, which shall be held on the day following said election excluding Sundays and holidays. They shall also give to the persons so elected certificates of their election. The book containing such minutes shall be preserved by the Commissioners, and shall be evidence in all Courts in this State or elsewhere. In case of the absence, inability or failure of any of said Officers of Election to serve and perform his or her duties, as required by this Act, then and in such case it shall be the duty of the Commissioners of Elsmere, or a majority of

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them, without formal meeting, to select an additional Officer of Election who shall possess the same qualifications of the other Officers of Election and who shall perform the duties herein required in connection with the conduct of said election.

Section 2. That Chapter 176, Volume 25, Laws of Delaware, entitled "An Act to incorporate the Town of Elsmere, New Castle County"; be and the same is hereby further amended by striking out all of Section 5 thereof and inserting in lieu thereof the following new section, to be known as Section 5:

Section 5. At the first election held under this Act, every citizen of said Town who was qualified to vote at the last preceding general election shall have the right to vote; and at every such election, after the first election as aforesaid, every citizen of said Town who shall have attained to the age of twenty-one years or upwards and is a taxable of said Town and, thirty days or more prior to said election, shall have paid all town taxes theretofore levied and assessed against him or her, and shall produce a tax receipt for the same when demanded by any person who shall challenge his or her vote, shall have the right to vote.

Ten days or more prior to every such election as aforesaid, the Town Commissioners shall call a public town meeting of the qualified voters of said Town for the purpose of nominating candidates to be voted for at such election, by posting notices in ten or more of the most public places in said Town, at least ten days prior to the time designated in said notices for the said town meeting, giving the date, hour and place for the holding of said town meeting, and the offices for which nominations are to be made at such town meeting. The Secretary of the Town Commissioners shall call the meeting to order and thereupon a Chairman and Secretary of the meeting shall be elected by a majority of the qualified voters present. At such meeting, nominations shall be made for the various offices to be voted for at such election, by a majority of the qualified voters present, and no person shall be voted for at such election, for any of the offices to

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be voted for at such election, except such person as has been duly nominated as aforesaid at such meeting. Provided that in case of any vacancy for any of the said offices occurring between the holding of said town meeting and the time for the holding of such election, caused by any person duly nominated as aforesaid refusing to be a candidate, or otherwise, then and in such event, the Town Commissioners, or a majority of them, shall nominate a qualified person or persons to fill such vacancy or vacancies on the ticket.

No person shall be nominated or elected to hold any of the aforesaid offices except citizens of said Town who shall have attained to the age of twenty-one years or upwards, and who are taxables of said Town, and who shall have paid all Town taxes theretofore levied and assessed against them.

Not less than five days prior to the date for holding such election, the Town Commissioners shall cause the election ballots to be printed. Upon such ballots the names of the candidates for the offices to be filled, arranged alphabetically under each office, shall be placed, and immediately below each group of names, instructions as to how many to vote for; for instance, "Vote for One," or "Vote for Two," or as many as the voter shall be entitled to vote for in any particular case. The voters shall designate their choice of candidates to be voted for, for each particular office, at such elections, by drawing a line through the names of all persons who are candidates for each particular office, except those candidates in each group desired to be voted for; provided, however, that no elector at any such election shall be allowed to vote for more candidates for any particular office (but may vote for less) than the number to be elected at said election. Defective designation of a voter's choice under the head of one or more of such groups of candidates shall not invalidate such ballot so far as there shall appear to be a proper designation of choice in any other of said groups of candidates. The form of ballot shall be substantially as follows:

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OFFICIAL BALLOT

Candidates for Election to Elective Offices in the
Town of Elsmere

FOR ALDERMAN

.....

(Vote for One)

FOR COMMISSIONERS

.....

(Vote for two or three as the case may be)

FOR TREASURER

.....

(Vote for One)

FOR ASSESSOR

.....

(Vote for One)

The method of voting shall be by striking out the names of those not voted for, so that the eligible number of candidates for any particular office shall remain on the ballot.

If after the approval of this Act, there is not sufficient time, before the first annual election on the second Saturday in April, nineteen hundred and twenty-one, as herein provided, to comply with all of the provisions of this Act in reference to calling a town convention for the purpose of nominating candidates to be voted for at said election, posting notices thereof, giving

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notice of said election, and printing ballots, &c; then and in such event it shall be lawful to defer said first election for one or more weeks in order to give sufficient time to comply with all of the provisions of this Act, in all other respects, except as to the actual date for holding said first election; provided however, that said first annual election shall not be deferred for a greater number of weeks than is reasonably necessary to give sufficient time for making nominations and holding said election according to the provisions of this Act; and provided further that, in all other respects, in holding said first elections, the provisions of this act shall be complied with; and provided further that, in the event that said first election under this act shall be deferred as herein stated, then and in such event all officers whose terms expire on the second Saturday of April, nineteen hundred and twenty-one, shall continue until such election and until their successors are elected.

Section 3. That Chapter 176, Volume 25, Laws of Delaware, entitled "An Act to Incorporate the Town of Elsmere, New Castle County," be and the same is hereby further amended by striking out the words "the male" in Section 13 of said Chapter 176 where they appear between the word "all" in the fifth line of said Section and the word "citizens" in the sixth line of said Section.

Section 4. That Chapter 176, Volume 25, Laws of Delaware, entitled "An Act to Incorporate the Town of Elsmere, New Castle County," be and the same is hereby further amended by inserting between the words "his" and "personal" where they appear in Section 14 of said Chapter 176, in the ninth line of said Section 14, the words "or her."

Approved March 28, A. D. 1921.

CHAPTER 118

CITIES AND TOWNS

AN ACT to amend Chapter 199, Volume 24, Laws of Delaware, entitled "An Act to reincorporate the Town of Delaware City."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch thereof concurring) :

Section 1. That all that part of Section ten of said Chapter 199, Volume 24, Laws of Delaware, beginning with the word "and" in the twelfth line thereof and ending with the word "election" in the fourteenth line thereof, shall not apply to the general municipal election to be held in said Town of Delaware City on the first Tuesday in April, A. D. 1921, but shall apply to all subsequent general municipal elections to be held therein.

Section 2. That Chapter 199, Volume 24, Laws of Delaware, entitled "An Act to reincorporate the Town of Delaware City," be and the same is hereby further amended by striking out the word "male" in the twelfth line of Section 25 thereof; and also by inserting between the word "his" and the word "own", the words "or her," in line thirty-one of said Section 25 thereof.

Approved March 28, A. D. 1921.

CHAPTER 119

CITIES AND TOWNS

AN ACT to amend an Act entitled "An Act to reincorporate the Town of Newport," being Chapter 195, Volume 24, Laws of Delaware.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each branch thereof concurring herein) :

Section 1:—That Section 1 of an Act entitled "An Act to reincorporate the Town of Newport," being Chapter 195, Volume 24, Laws of Delaware, be amended by striking out all of Section 1; thereof and by inserting in lieu thereof the following:

Section 1. An election shall be held in the Town of Newport for an Alderman, Town Commissioners, Treasurer and Assessor on the second Monday in January, A. D. 1922, and annually thereafter, from four o'clock until seven o'clock in the afternoon, and at such place as shall be determined and fixed by the Town Commissioners. At least ten days previous to such election, due notice thereof, and of the time and place thereof shall be given by said Town Commissioners. At all such elections the votes shall be received by three qualified voters of said Town appointed by the Commissioners at any regular or special meeting of said Commissioners, held in the month of December, preceding said election, said persons so appointed shall be known as Judges of Election, and the result of the balloting for said officers of said town shall be ascertained by the said Judges of Election. At every such election every citizen of said Town who shall have attained to the age of twenty-one years and is a taxable of said Town, and who shall have paid all Town taxes theretofore levied and assessed against him, more than thirty days prior to said election, and who shall produce a tax receipt for the same when demanded by any person who shall challenge his vote, shall have the right to vote. The persons who shall conduct such election as in this

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Act provided shall be the Judges thereof, and shall decide on the legality of the votes offered. Immediately after the election is closed, the votes shall be read and counted, and the persons having the highest number of votes for Alderman, Assessor, or Treasurer shall be declared elected. The three candidates for Commissioner having the highest number of votes for such office shall be declared elected, the highest and next highest thereof for a two-year term, and the third highest thereof for a one-year term. In case of a tie of any of the persons voted for, the election shall be determined by lot, that is, the names of the persons having a tie vote shall be written on identical slips and concealed from the person who shall draw the same, and one of said Judges of Election shall draw one of said slips, and the person whose name appears on said slip shall be the person elected. Immediately after such election, said Judges of Election shall enter in a book to be provided for that purpose, a minute of such election, containing the names of all persons who were candidates for office, designating the office for which they were candidates, and showing the number of votes received by each, and they shall subscribe to the same and deliver said book to said Commissioners at their organization meeting, which shall be held on the day following said election. They shall also give to the persons so elected certificates of their election. The book containing such minutes shall be preserved by the Commissioners, and shall be evidence in all Courts in this State or elsewhere. In case of the absence, inability or failure of any of said Judges of Election to serve and perform his duties, as required by this Act, then and in such case it shall be the duty of the Commissioners of Newport, or a majority of them, without formal meeting, to select an additional Judge of Election who shall possess the same qualifications of the other Judges of Election and who shall perform the duties herein required in connection with the conduct of said election. No person shall be elected to hold any of the aforesaid offices except citizens of said Town who shall have attained to the age of twenty-one years, and who are taxables of said Town, and who shall have, at the date of filing their names as candidates, paid all Town taxes theretofore levied and assessed against them, and the Commissioners of Newport shall not permit the name of any such candidate to be filed except such candidate as shall meet the qualifica-

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tions herein provided. No person shall be voted upon as a candidate for any of such offices unless at least one week before the date set for said election he shall have filed with the Secretary or President of said Town Commissioners a letter or other certificate setting forth that he will be a candidate for a certain designated office. Immediately after the expiration of the time for filing names of candidates, the said Town Commissioners shall cause the election ballots to be printed. Upon such ballots the names of the candidates for the offices to be filled, arranged alphabetically under each office, shall be placed, and immediately below each group of names, instructions as to how many to vote for; for instance, "Vote for One," or "Vote for Two," or as many as the voter shall be entitled to vote for in any particular case. The voters shall designate their choice of candidates to be voted for for each particular office, at such elections, by drawing a line through the names of all persons who are candidates for each particular office, except those candidates in each group desired to be voted for; provided, however, that no elector at any such election shall be allowed to vote for more candidates for any particular office (but may vote for less) than the number to be elected at said election. Defective designation of a voter's choice under the head of one or more of such groups of candidates shall not invalidate such ballot so far as there shall appear to be a proper designation of choice in any other of said groups of candidates. The form of ballot shall be substantially as follows:

OFFICIAL BALLOT

Candidates for Election to Elective Offices in
the Town of Newport

FOR ALDERMAN

.....

 (Vote for One)

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FOR COMMISSIONERS

.....

 (Vote for Three)

FOR TREASURER

.....

 (Vote for One)

FOR ASSESSOR

.....

 (Vote for One)

The method of voting shall be by striking out the names of those not voted for, so that the eligible number of candidates for any particular office shall remain on the ballot.

Section 2. That Section 11 of an Act entitled "An Act to re-incorporate the Town of Newport," being Chapter 195, Volume 24, Laws of Delaware, be amended by striking out the word "male" where it appears between the word "the" and the word "citizens" in the sixth line of said section.

Section 3. That Section 12 of an Act entitled "An Act to re-incorporate the Town of Newport," being Chapter 195, Volume 24, Laws of Delaware, be amended by striking out the words "five thousand" wherever they appear in said Section 12, and by inserting in lieu thereof the words "ten thousand."

Approved March 30, A. D. 1921.

CHAPTER 120

CITIES AND TOWNS

AN ACT authorizing the "Commissioners of Newport" to repay certain moneys advanced by certain persons and corporations for the completion of a water works and sewer system for the Town of Newport, and to issue bonds to secure the payment thereof.

WHEREAS the "Commissioners of Newport," a municipal corporation of the State of Delaware, has submitted to the General Assembly of the State of Delaware, a resolution reading as follows:

"WHEREAS by an Act entitled "An Act Authorizing the 'Commissioners of Newport' to borrow money and to issue bonds to secure the payment thereof, for the purpose of establishing water works, or a sewer system, or both, and to control and regulate the same, when so established," being Chapter 141, Volume 29, Laws of Delaware, the said "Commissioners of Newport" were authorized and empowered to establish and maintain municipal water works or a sewer system for said Town, or both, and to borrow a sum not exceeding thirty-five thousand dollars to be expended for the purposes aforesaid; and

WHEREAS the said "Commissioners of Newport" by appropriate resolutions and other appropriate action taken pursuant to said Act, determined to and did establish and is now maintaining said municipal water works and sewer system; and

WHEREAS the moneys secured from said bond issue were insufficient for the purposes aforesaid; and

WHEREAS in order that the said "Commissioners of Newport" could complete said work, the following amounts of money were contributed to the Town of Newport by the following named persons, viz:

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NAME	AMOUNT OF SUBSCRIPTION
The Krebs Pigment and Chemical Company	\$20,000
J. Perkins Groome	2,000
Willis F. Groome	2,000
Justa G. Justis	2,000
Alfred M. Craig	500
John A. Cranston	1,000
Holger V. Berg	1,000
Benjamin R. Fluharty	500

and

WHEREAS all of said contributions were made during the month of April, 1920; and

WHEREAS all of said moneys, as well as the moneys secured from said bond issue, have been used in establishing said municipal water works and sewer system; and

WHEREAS the "Commissioners of Newport" are desirous that the sums of money contributed by the persons above named should be repaid, together with interest from and since May 1, 1920;

THEREFORE BE IT RESOLVED by the "Commissioners of Newport" that the General Assembly of the State of Delaware be and it is hereby requested to enact a law authorizing the "Commissioners of Newport" to execute, issue and deliver unto the above named persons, bonds of the "Commissioners of Newport" payable November 1, 1954, for the amounts contributed by them, together with interest thereon from May 1, 1920, at the rate of five per centum payable semi-annually:

Therefore be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each branch thereof concurring herein):

Section 1. That for the purpose of repaying the contributions made as mentioned in the preambles to this Act, and inter-

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est at the rate of five per centum per annum from and since the first day of May, A. D. 1920 until the maturity date of said bonds, the "Commissioners of Newport," a municipal corporation of the State of Delaware, be and it hereby is authorized to execute, issue and deliver unto the above-named persons for the amounts contributed by them as set forth in the preambles to this Act, bonds of the Commissioners of Newport, which shall be according to the following terms and in the following form:

Number \$500.00

UNITED STATES OF AMERICA

STATE OF DELAWARE

TOWN OF NEWPORT

The "Commissioners of Newport," a municipal corporation of the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to the bearer the sum of Five Hundred Dollars (\$500.00) on the first day of November, 1954, with interest thereon at the rate of five per centum per annum from May 1, 1920, the interest from May 1, 1920 until November 1, 1921 to be due and payable on November 1, 1921. Thereafter the interest shall be due and payable on the first days of May and November in each year, both principal and interest payable at Newport National Bank, Newport, Delaware.

This bond is one of an issue of bonds limited to Twenty-nine Thousand Dollars (\$29,000.00) of like date, tenor and effect, numbered from one to fifty-eight inclusive, being for Five Hundred Dollars (\$500.00) each, the issue and payment whereof is provided for by an Act of the General Assembly of the State of Delaware entitled "An Act Authorizing the 'Commissioners of Newport' to repay certain moneys advanced by certain persons and corporations for the completion of a water works and sewer system for the Town of New-

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port, and to issue bonds to secure the payment thereof," approved on the _____ day of _____, 1921.

The issuance of this bond has been duly approved by a majority of the votes cast at a special election regularly called and held in said Town of Newport, on the _____ day of _____, A. D. 19____, at which election was submitted the question of the issuance of bonds to repay contributions on account of the water works and sewer system for the said Town of Newport.

IN WITNESS WHEREOF the Commissioners of the "Commissioners of Newport" have caused this bond to be signed by the President and Treasurer of said "Commissioners of Newport" and to be sealed with the seal of said municipality, as of this _____ day of _____ A. D. 19____

.....
President.
.....
Treasurer.

Section 2. That none of said bonds shall be executed, issued and delivered for the purpose aforesaid until the issue thereof shall be approved at a special election called for that purpose by said "Commissioners of Newport" as hereinafter provided.

Section 3. That if the said Commissioners shall at any time after the approval of this Act, resolve that said bonds should be executed, issued and delivered as in this Act provided, then and in such event the said Commissioners shall provide for the submission of the question of the executing, issuing and delivering of said bonds at a special election to be held in said Town. Such election shall be held at such time and place as the said Commissioners shall by resolution determine. The said Commissioners shall give notice of the same by advertisement posted in ten or more public places in said Town at least ten days before the date of said election. The advertisement shall state the time

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and place of the election, the amount of bonds proposed to be issued, and the purpose thereof. Such special election shall be held by three qualified voters of said Town, who shall be appointed by the Commissioners of said Town at any regular or special meeting, and said Town Commissioners shall have power to fill vacancies. The voting at such special election shall be by ballot, upon which shall be printed or written either the words "For the Insuance of Bonds to repay Contributions on account of the Water Works and Sewer System" or the words "Against the Issuance of Bonds to repay Contributions on account of the Water Works and Sewer System." Except as otherwise provided in this Act, such special election shall be held according to the laws governing the annual town election of the said Town of Newport. Each tax payer who shall have paid the taxes assessed to him, her or it at least thirty days prior to any such election shall have one vote for every dollar or fractional part of a dollar of tax paid by him, her or it respectively as town tax for the year next preceding said election, and all tax payers shall have the right to vote at such election in person, or by proxy duly signed and witnessed, provided, however, that poll taxables who shall have ceased to be residents of said town shall not be entitled to vote at any such election. If a majority of the votes cast at such special election shall be "For the Issuance of Bonds to repay Contributions on account of the Water Works and Sewer System" then and in such event the Commissioners shall be deemed and held to be authorized and empowered to execute, issue and deliver bonds as follows:

Forty (40) Bonds of the face value of Five Hundred Dollars each to The Krebs Pigment and Chemical Company;

Four (4) Bonds of the face value of Five Hundred Dollars each to J. Perkins Groome;

Four (4) Bonds of the face value of Five Hundred Dollars each to Willis F. Groome;

Four (4) Bonds of the face value of Five Hundred Dollars each to Justa G. Justis;

One (1) Bond of the face value of Five Hundred Dollars to Alfred M. Craig;

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Two (2) Bonds of the face value of Five Hundred Dollars each to John A. Cranston;

Two (2) Bonds of the face value of Five Hundred Dollars each to Holger V. Berg;

One (1) Bond of the face value of Five Hundred Dollars to Benjamin R. Fluharty;

If a majority of the votes cast at such special election shall be "Against the Issuance of Bonds to repay Contributions on account of the Water Works and Sewer System," then and in such event the Commissioners shall take no further steps under this Act, except that they may at such time or times thereafter as they shall deem proper, again submit the question of the execution, issuance and delivery of said bonds at a special election called, advertised, and held as hereinbefore prescribed, provided that no more than one such special election shall be called in any one calendar year under the provisions of this Act.

Section 4. That the said Commissioners are hereby authorized and required to levy and raise by taxation in each year a sum of money sufficient to pay all interest accruing on said bonds or any of them, whilst any of said bonds shall remain unpaid; and the said Commissioners are further authorized and empowered to levy and raise by taxation from time to time such sum or sums as shall be necessary to create a sinking fund adequate for the redemption of said bonds at or before the maturity of all the bonds which may be issued under the provisions of this Act. The taxes for the said interest and for the said sinking fund shall be levied and collected as other taxes in said town are, and shall be assessed on the head and on property, and shall be in excess of, and in addition to the sum or amount which the said Commissioners are authorized by any other law *or raised by taxation.

Section 5. Any person who shall wilfully vote or attempt to vote illegally at such special election, or any person acting as an election officer at such special election, who shall wilfully receive, or consent to receiving an illegal vote, or who shall wilfully refuse to receive a legal vote, or who shall in any way act in a

*So enrolled.

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fraudulent or illegal manner at such special election, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined or imprisoned, or both, in the discretion of the Court.

Section 6. The cost of preparing and printing said bonds shall be paid out of the general funds of the "Commissioners of Newport."

Approved March 15, A. D. 1921.

CHAPTER 121

CITIES AND TOWNS

AN ACT to establish a Board of Water and Light Commissioners for the City of New Castle.

WHEREAS, the City of New Castle is about to arrange to purchase and operate the present water and electric light systems in the City, and the Council of the City and the citizens generally desire that the management and operation of the said water and light systems when taken over by the City shall be placed in the hands of a commission created for that purpose.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (with the concurrence of two-thirds of all the members elected to each branch of the General Assembly):

Section 1. A Board of Water and Light Commissioners for the City of New Castle is hereby created, which shall be composed of three members who shall be residents of and qualified voters of the City of New Castle and who shall have resided in said City for at least three years prior to their appointment. They shall serve until their successors shall have been appointed and qualified. One of said Commissioners shall be appointed by the Mayor of the City, one by the Council of the City, and one by the Trustees of the New Castle Common of said City. The first Commissioners shall be appointed as soon as practicable after this Act goes into effect. The first Commissioner appointed by the Trustees of the New Castle Common shall serve until April 1, 1922; the first Commissioner appointed by the Mayor shall serve until April 1, 1923; and the first Commissioner appointed by the Council of the City shall serve until April 1, 1924; and thereafter in the month of March in each year a successor to the Commissioner whose term expires on April 1 in that year shall be appointed for the term of three years by the power who appointed the member whose term is to expire. Any vacancy during a term shall be

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filled for the remainder of the term by appointment of the power who made the original appointment. In exercising the above appointing power, the Mayor shall not appoint himself, the Council shall not appoint one of its own members, and The Trustees of the Common shall not appoint one of its own members.

Section 2. The Commission shall organize as soon as possible after the approval of this Act, and thereafter in April of each year, and elect one of their number as President and also a Secretary. The City Treasurer shall be Treasurer of the Commission, and shall hold the funds of the Commission in a separate account at the New Castle Trust Company, and shall pay the same out on orders signed by the President and Secretary. He shall give such additional bond as the Commissioners may require. The Commissioners shall receive no salary for their services, but shall be paid for their necessary expenses in the performance of their duties. No Commissioner shall hold any office of profit under the Commission or contract with it for work or supplies.

Section 3. The said Board of Water and Light Commissioners shall have control of the water and electric light supply in the City of New Castle, and the management and operation of the City water system and the City light system shall be entirely under their control, direction and supervision, and for this purpose they shall have power to enter into contracts on behalf of the City and in the name of the Municipal Corporation. They shall have charge of the collection of and shall receive all revenue due for water and light, which shall be held by the City Treasurer subject to the order of the Commissioners, and shall fix the rates for water and light from time to time. They shall appoint a superintendent and regulate his duties, and shall provide for such other employes as may from time to time be necessary, and shall fix the salary or pay of all employes. They shall provide for all supplies and work that may from time to time be necessary, and in general shall have full charge of the maintenance and operation of the City water and light system. The Commissioners shall have the power to borrow temporarily from time to time on the faith and credit of the City in order to provide for the current expenses of maintenance, replacement and operation; but the

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Commissioners shall have no power to enlarge or extend the water and light system, plant, mains, lines or apparatus, except out of surplus earnings, without the authority and approval of the Council of the City first had and obtained.

Section 4. The Commissioners shall meet at least once every month, and shall have power to make all needful rules and regulations for their meetings and for the regulation of the employes. They shall also have power to make rules regulating the use and supply of water and light by and to consumers. They shall establish regulations for the payment of bills for water and light, and may cause suit to be brought in the name of the Municipal Corporation for all bills overdue. All sums due for water shall be a lien upon the property to which such water was furnished in the same ways as the taxes due the City of New Castle. The Commissioners shall arrange for the prompt collection of all sums due for water and light, and shall have power to make rules for cutting off the service when bills are overdue.

Section 5. The Commissioners shall furnish to the Mayor, the Council of the City and the Trustees of the Common, quarterly, a full statement of their receipts and expenses, and shall in July of each year publish an annual statement and report for the benefit of the Citizens of New Castle.

Section 6. The Superintendent appointed by the Commissioners shall be paid a monthly salary to be fixed by the Board, and shall devote all his time to the work and shall not be engaged in any other occupation. He shall have direct and actual charge of the operation of the water and light system, and shall select the other employes, subject to the approval of the Commissioners. He shall attend the meetings of the Commissioners and furnish them reports as to the condition of the property, and shall also promptly report any accident or unusual condition.

Section 7. In lieu of water and light rental for the water and light supply to the City itself, the Council shall turn over from time to time to the credit of the Commissioners such sums as may be necessary to meet any deficiency for current bills of

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the Commissioners. In July of each year, or oftener in their discretion if the revenue warrants, the Commissioners shall turn over to the Council of the City such sum in their hands as may not be required to provide for current expenses and operation, which sums shall be used by the Council for the payment of interest on the water and light bonds and for a sinking fund for the payment of said bonds.

The Council and the Commissioners may, by mutual agreement if deemed desirable, arrange that the City shall pay a fixed rental to the Commissioners for the water and light supplied to the City in lieu of the above payments to meet a deficiency.

The Commissioners shall aim, in the operation of the systems and in fixing the rates, to produce revenue at least sufficient, when supplemented by fair allowances by the City for the water and light furnished for public purposes, to pay the operating expenses of the system and the interest on the water and light bonds as well as provide for ordinary maintenance.

Section 8. The Commissioners are intended to be merely a separate agency of the City for the operation of the water and light systems, and all contracts and bills shall be in the name of and on behalf of the Municipal Corporation, through the agency of the Commissioners.

Section 9. The Council of the City shall have the power to remove any Commissioner upon proper cause shown, but such removal shall be only after charges made and hearing thereon and by vote of two-thirds of all the members of the Council.

Section 10. The Commissioners shall have full control and direction of the expenditure of all money borrowed by the City, by bond issue or otherwise, for the improvement or alteration of the said water and light systems, and such money shall be held by the City Treasurer subject to the direction of the Commissioners.

Approved March 7, A. D. 1921.

CHAPTER 122

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AN ACT to amend Chapter 129, Volume 30, Laws of Delaware, being "An Act authorizing 'The Mayor and Council of New Castle' to borrow money and issue bonds therefor, for the purpose of supplying the City of New Castle and its inhabitants with water and light, or either, by the acquisition, purchase, construction or erection of such property, works and apparatus as may be necessary or convenient therefor."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (with the concurrence of two-thirds of all the members elected to each branch of the General Assembly) :

Section 1. That Chapter 129, Volume 30, Laws of Delaware, being "An Act authorizing 'The Mayor and Council of New Castle' to borrow money and issue bonds therefor, for the purpose of supplying the City of New Castle and its inhabitants with water and light, or either, by the acquisition, purchase, construction or erection of such property, works and apparatus as may be necessary or convenient therefor," be and the same is hereby amended by striking out all of Section 2 of said Act, and inserting in lieu thereof the following:

"Section 2. The said money shall be borrowed and the bonds issued in such amounts, at such times, in such form and denominations, and at such rate of interest not exceeding five and one-half per cent, as the Council of said City shall by ordinance duly passed determine. The principal of said bonds shall be made payable at the expiration of twenty years from the date of the issue thereof.

The Council of the said Municipal Corporation shall direct and effect the preparation and printing of and negotiate the sale and delivery of the said bonds. The said bonds shall bear date when issued and shall bear interest from date, payable semi-annually. They shall be signed by the Mayor, the President of

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Council and the Treasurer of said City of New Castle, and be sealed with the Corporate Seal of the said Municipal Corporation and shall be exempt from State, County and Municipal taxation.

The moneys received from the sale of the said bonds shall be paid over to the Treasurer of the City of New Castle, and held by him as a special fund to be drawn out and used for the purpose of this Act. The Treasurer shall furnish additional bond to cover such fund, in such an amount as the Council may direct."

Section 2. That said Chapter 129, Volume 30, Laws of Delaware, be further amended by striking out all of Section 5, of said Act.

Approved March 7, A. D. 1921.

CHAPTER 123

CITIES AND TOWNS

AN ACT to amend Chapter 216, Volume 27, Laws of Delaware, being "An Act amending, revising and consolidating the charter of the City of New Castle," by striking out the word "male" from the voting and assessment provisions in said charter.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (with the concurrence of two-thirds of all the members elected to each branch of the General Assembly) :

Section 1. That Chapter 216, Volume 27, Laws of Delaware, being "An Act amending, revising and consolidating the Charter of the City of New Castle," as the same has been amended by Chapter 142, Volume 29, Laws of Delaware, be and the same is hereby amended by striking out the word "Male" where it occurs in the sixth line of the fourth paragraph of Section 5 of said Charter, in relation to the qualification of voters, and also by striking out the word "Male" where it occurs in the nineteenth line of Section 19 of said Charter, in relation to the assessment.

Approved March 7, A. D. 1921.

CHAPTER 124

CITIES AND TOWNS

AN ACT to further amend Chapter 36, Volume 12, Laws of Delaware, entitled "An Act to incorporate the Town of Middletown."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch thereof concurring) :

Section 1. That Chapter 36, Volume 12, Laws of Delaware, entitled "An Act to incorporate the Town of Middletown," as amended by Chapter 457, Volume 15, Laws of Delaware, be and the same is hereby amended by striking out the word "white" in the eleventh line, and also the word "male" in the twelfth line, where they occur in Section 1 of said Chapter 457, Volume 15, Laws of Delaware.

Section 2. That Chapter 36, Volume 12, Laws of Delaware, entitled "An Act to incorporate the Town of Middletown," be and the same is hereby further amended by striking out the words "the white male" in the fifth line where they occur in Section Seventeen of said Chapter 36, Volume 12, Laws of Delaware.

Section 3. That all that part of Section One, of Chapter 457, Laws of Delaware, beginning with the word "and" in the thirteenth line thereof and ending with the word "aforesaid" in the fifteenth line thereof, shall not apply to the general municipal election to be held in said Town of Middletown on the first Monday of March, A. D. 1921, but shall apply to all subsequent general municipal elections to be held therein.

Approved March 28, A. D. 1921.

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provisions of this Act, a special election shall be held in the same place and in the same manner as other town elections. Notice of said election shall be given by advertisements in the nearest County newspaper and by posting notices in at least ten public places in said town at least two weeks before the said election, which said advertisements and notices shall state the time and place of the election and the amount of bonds proposed to be issued, and the purpose for which the said money is to be borrowed. At said election every person paying town taxes in the said town shall be entitled to vote and shall have one vote for each dollar or fractional part of a dollar of taxes paid by him or her according to the last assessment in the said town, and for the purposes of this election residence shall not be a qualification to voting in the said town. At said election the ballots used shall have written or printed thereon the words "for the bond issue" or the words "against the bond issue." If at such election a majority of the votes cast shall be for the bond issue, then bonds to the amount voted on may be issued as in this Act provided, but if at such election the majority shall be against the bond issue, then no bonds shall be issued nor money borrowed under this Act.

Approved March 28, A. D. 1921.

CHAPTER 127

CITIES AND TOWNS

AN ACT to amend an Act entitled "An Act to reincorporate the Town of Smyrna," passed at Dover, April 7, 1897, as the same has since been amended by striking out the word "male" wherever the same occurs in the said Act.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House concurring therein) :

Section 1. That an Act to amend an Act entitled "An Act to re-incorporate the Town of Smyrna" passed, at Dover, April 7, 1897 as the same has since been amended, be and the same is hereby amended by striking out the word "Male" wherever the same occurs in said Act.

Approved March 28, A. D. 1921.

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and empowered to levy and raise by taxation, from time to time such sum or sums as said Council shall deem proper to establish a sinking fund adequate for the redemption of said Bonds at or before their maturity, said taxes shall be in excess of, and in addition to the sum or amount authorized to be raised by the said Council by any other Act; and shall be levied and raised upon assessable real estate in said Town.

Section 8. The Bonds authorized by this Act may be issued at one time and in one series, or at different times and in different series as the Town Council of the said The Town of Dover shall determine, and the authority to issue and sell any Bonds or number of Bonds under this Act shall not be deemed to be exhausted until the aggregate of the amount of Bonds issued under this Act shall be Thirty Thousand Dollars.

Section 9. The faith and credit of the said The Town of Dover are hereby pledged for the payment of all of the Bonds that may be issued under the provisions of this Act.

Section 10. That before any Bonds shall be issued under the provisions of this Act, a special election shall be held in the same place and in the same manner as other Town elections. Notice of said election shall be given by advertisements in a newspaper published in The Town of Dover, State of Delaware, and by posting notices in at least ten public places in said Town, at least ten days before said election, which said advertisements and notices shall state the time and place of the election and the amount of Bonds proposed to be issued and the purpose for which said money is to be borrowed. At said election every taxable paying Town Taxes in the said Town shall be entitled to vote and shall have one vote for each One Dollar, or fractional part of One Dollar of taxes paid by such taxable according to the last assessment in said Town and for the purpose of this election, residence shall not be a qualification to voting in the said Town. At said election the ballots used shall have written or printed thereon the words "For the Bond Issue" or the words "Against the Bond Issue." If at such election a majority of the votes cast shall be for the Bond Issue, then Bonds to the amount voted on,

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and not exceeding in the aggregate Thirty Thousand Dollars, may be issued as in this Act provided. But if, at such election, the majority shall be against the Bond Issue, then no Bonds shall be issued nor money borrowed under this Act.

Approved February 2, A. D. 1921.

CHAPTER 129

CITIES AND TOWNS

AN ACT to amend an Act entitled, "An Act to reincorporate the Town of Dover," being Chapter 746, of Volume 19, of the Laws of Delaware, as amended.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all of the members elected to each branch of the Legislature concurring therein) :

Section 1. That Chapter 746, of Volume 19, of the Laws of Delaware, being an Act entitled, "An Act to re-incorporate the Town of Dover," passed at Dover, March 2, A. D. 1893, as the same has been heretofore amended, be and the same is hereby amended as follows:

1. By striking out the word "male" in the fortieth line of Section 2 of the Act aforesaid.

2. That Section 24 of said Chapter 746 of Volume 19 of the Laws of Delaware, as the same was amended by Chapter 98 of Volume 21 of the Laws of Delaware, and as further amended by Chapter 176 of Volume 23 of the Laws of Delaware, be and the same is hereby amended by striking out in line six of said Section the word "eight," which was inserted by virtue of said Chapter 176 of Volume 23, Laws of Delaware, and insert in lieu thereof the word "twelve."

Approved March 28, A. D. 1921.

CHAPTER 130

CITIES AND TOWNS

AN ACT to further amend the Act entitled, "An Act to Incorporate the Town of Little Creek, by increasing the appropriation of the Levy Court of Kent County to said town."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House concurring therein):

Section 1. That Chapter 283, Volume 21, Laws of Delaware, entitled, "An Act to Incorporate the Town of Little Creek," as amended by Chapter 144, Volume 28, Laws of Delaware, be and the same is hereby amended by striking out all of said Section 16 and inserting in lieu thereof, the following:

"Section 16. That the said Commissioners and their successors in office, or a majority of them, shall have the superintendence, oversight, management and care of all the streets and roads, alleys, lanes, sidewalks and passes now made and constructed, or opened, or hereafter to be made, constructed or opened, within the limits of said Town, and no overseer of any of the said roads or streets shall be appointed by the Levy Court of Kent County, but the said Levy Court shall appropriate a sum of money, not less than Five Hundred Dollars, and shall make an order for the payment thereof to the said Commissioners, which sum so appropriated shall be expended by said Commissioners upon the roads and streets aforesaid; and the said Commissioners shall account to the Levy Court for the money so appropriated, in the same manner as to supervisors of roads in said County."

Section 2. The increased appropriation from seventy-five dollars to five hundred dollars herein provided for shall continue in force for a period of one year from the date of this Act and thereafter said appropriation to said Town of Little Creek shall be the sum of seventy-five dollars annually.

Approved May 17, A. D. 1921.

CHAPTER 132

CITIES AND TOWNS

AN ACT authorizing the Town Commissioners of Frederica to borrow Fifteen Thousand Dollars, and to issue bonds therefor, for the purpose of acquiring in any manner and establishing and maintaining a water plant for the Town of Frederica.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each branch of the Legislature concurring therein) :

Section 1. That the Town Commissioners of Frederica is hereby authorized and empowered to borrow on the credit of said Town a sum of money not exceeding Fifteen Thousand Dollars to be used for the purpose of acquiring in any manner and establishing and maintaining a water plant for the said Town of Frederica.

Section 2. That the Town Commissioners of Frederica for the purpose set forth in Section 1 of this Act shall have full power and authority to issue bonds of the said Town of Frederica to be known as "Frederica Water Bonds" to an amount not exceeding Fifteen Thousand Dollars.

Section 3. The denomination of said Bonds shall be as determined by the said Town Commissioners of Frederica, and shall be numbered consecutively, beginning with Number One, and shall bear interest at a rate not exceeding six per centum per annum, payable on the first days of January and July in each and every year at such Bank or Trust Company as the said Town Commissioners of Frederica shall designate on the presentation of the coupons attached to said Bonds, representing said semi-annual interest.

Section 4. Said Bonds shall bear date on the first day of July or the first day of January in the year in which the same

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shall be issued, and the principal thereof shall be payable at such Bank or Trust Company as the said Town Commissioners of Frederica shall designate at the expiration of thirty years from their date, and the said Bonds, or any of them, may be redeemed at the option of the said Town Commissioners of Frederica at par and accrued interest, at any interest period at the expiration of ten years from the date of said Bonds; provided, however, that if the Town Commissioners of Frederica shall at any time, after the expiration of ten years from the date of said Bonds, elect to redeem any thereof, such redemption shall be made in pursuance of notice signed by the President of the said Town Commissioners of Frederica, and by the Treasurer thereof, published once a week for two consecutive weeks in two newspapers published in the Town of Dover. Such notice shall indicate the Bonds called, and in making such calls the Corporation shall call the Bonds according to their number, beginning with the lowest number, and the interest on any of said Bonds shall cease from the date named in any of said calls for redemption.

Section 5. The Town Commissioners of Frederica shall direct and effect the preparation, printing and sale of said Bonds authorized by this Act at such time and times, and on such terms as they may deem expedient, and all moneys arising from such sale shall be applied to carry into effect the provisions of this Act.

Section 6. The form of said Bonds, with the coupons there-to attached, shall be prescribed by the Town Commissioners of Frederica, and they shall be signed by the President of the Town Commissioners of Frederica and by the Treasurer of said Town, and sealed with the corporate seal of said Corporation, and shall be exempt from State, County and Municipal taxes. As said Bonds and coupons thereto attached shall be paid the same shall be cancelled as the said Town Commissioners of Frederica shall direct.

Section 7. The said Town Commissioners of Frederica is hereby authorized and required to levy and raise from taxation, in each year, upon all assessable real estate in said Town, a sum of money sufficient to pay all interest accruing on said Bonds, or

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any of them, whilst any of them shall remain unpaid; and the said Town Commissioners of Frederica is further authorized and empowered to levy and raise from taxation from time to time such sum or sums as said Town Commissioners of Frederica shall deem proper to establish a Sinking Fund adequate for the redemption of said Bonds at or before their maturity, such taxes shall be in excess of, and in addition to the sum or amount authorized to be raised by said Town Commissioners of Frederica by any other Act; and shall be levied and raised upon assessable real estate in said Town.

Section 8. The Bonds authorized by this Act may be issued at one time and in one series, or at different times and in different series, as the Town Commissioners of Frederica shall determine, and the authority to issue and sell any Bonds, or number of Bonds, under this Act shall not be deemed to be exhausted until the aggregate of the amount of Bonds issued under this Act shall be Fifteen Thousand Dollars.

Section 9. The faith and credit of the said Town Commissioners of Frederica are hereby pledged for the payment of all the Bonds that may be issued under the provisions of this Act.

Section 10. That before any Bonds shall be issued under the provisions of this Act, a special election shall be held in the same place and in the same manner as other Town elections. Notice of said election shall be given by posting notices in at least ten public places in said Town, at least ten days before said election, which said notices shall state the time and place of the election and the amount of Bonds proposed to be issued and the purpose for which said money is to be borrowed. At said election every taxable paying Town Taxes in the said Town shall be entitled to vote and shall have one vote for each One Dollar, or fractional part of One Dollar of taxes paid by such taxable according to the last assessment in said Town and for the purposes of this election, residence shall not be a qualification to voting in the said Town. At said election the ballots used shall have written or printed thereon the words "For the Bond Issue" or the words "Against the Bond Issue." If at such election a majority

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of the votes cast shall be for the Bond Issue, then Bonds to the amount voted on, and not exceeding in the aggregate Fifteen Thousand Dollars, may be issued as in this Act provided. But if, at such election, the majority shall be against the Bond Issue, then no Bonds shall be issued nor money borrowed under this Act.

Approved March 29, A. D. 1921.

CHAPTER 133

CITIES AND TOWNS

AN ACT to amend Chapter 192, Volume 25, Laws of Delaware, entitled "An Act to reincorporate the Town of Frederica and to authorize the Town Commissioners of said Town of Frederica to levy an additional tax and for other purposes," by increasing the amount of tax which may be levied and collected by said Commissioners.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House thereof concurring therein) :

Section 1. That Section 6 of said Chapter 192, Volume 25, Laws of Delaware, be and the same is hereby amended by striking out in said Section 6 the words "One Thousand Dollars" where the same occur in lines three and four of said Section, and by inserting in lieu thereof the words "Fifteen Hundred Dollars."

Approved March 15, A. D. 1921.

CHAPTER 134

CITIES AND TOWNS

AN ACT authorizing "The Commissioners of the Town of Harrington" to borrow money for the purpose of erecting and equipping or purchasing a water plant in the said Town of Harrington, and to issue bonds of said Town of Harrington to secure the payment thereof.

WHEREAS, The owners of the water plant located in the town of Harrington, Kent County, Delaware, claim that said plant is being run at a loss, and threaten to cease operating the same; and

WHEREAS, There is a contract between the owners of said plant and "The Commissioners of the Town of Harrington," whereby the said Commissioners, at their option, have the right to purchase said plant in December of the present year at a valuation to be fixed by arbitrators; and

WHEREAS, To prevent the present uncertainty, as to whether a water plant will be operated in said town of Harrington, it is desirable that the said town own a plant located therein; and

WHEREAS, There are no funds available for the erection and equipment or purchase of such a plant, and said commissioners have no authority to borrow the same; and

WHEREAS, At a mass meeting duly advertised and called, and recently held in said town, and which said meeting was attended by most of the representative citizens thereof, it was unanimously voted that the commissioners of said town be authorized and directed to procure the necessary authority from the General Assembly to borrow a sum not exceeding twenty-five thousand (\$25,000.00) dollars by the issuance and sale of bonds of the said town of Harrington; the proceeds therefrom to be used for the erection and equipment or purchase of a water

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plant in said town, as might be deemed most advisable and advantageous to the said town of Harrington;

Therefore, Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That in order to provide the necessary funds for the erection or purchase of a water plant in the said town of Harrington, as may be deemed most advisable and advantageous to said town by the said "The Commissioners of the Town of Harrington," the said The Commissioners of the Town of Harrington are hereby authorized and empowered to borrow upon the faith and credit of the said Town of Harrington a sum of money, not exceeding Twenty-five Thousand (\$25,000.00) dollars, and for the purpose of securing the payment of the money so borrowed, the said The Commissioners of the Town of Harrington are, also, authorized and empowered to issue and sell bonds of said town, with coupons attached, to an amount not exceeding twenty-five thousand dollars;

Section 2. That fifty (50) of said bonds shall be of the denomination of one hundred (\$100.00) dollars each; twenty (20) of said bonds shall be of the denomination of five hundred (\$500.00) dollars each, and ten (10) of said bonds shall be of the denomination of one thousand (\$1,000.00) dollars each;

That said bonds shall bear interest at such rate, not exceeding six per centum per annum, as the said "The Commissioners of the Town of Harrington" may from time to time fix and designate in any resolution directing the issuance and sale of the same, or any part thereof; the interest upon said bonds shall be paid semi-annually in each and every year from the date of issue appearing therein, at such Bank or Trust Company in the Town of Harrington as the said "The Commissioners of the Town of Harrington" shall designate. All of said bonds shall bear the same date and shall be numbered consecutively from one to eighty (1 to 80) inclusive.

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Section 3. Said bonds shall be divided into twenty-five classes and shall be paid at their face value as follows:

Ten of the same shall be designated as "Class A," shall be of the denomination of One Hundred Dollars each, shall be numbered from one to ten (1 to 10) inclusive, and shall be due and payable in one year from the date of issue appearing therein;

Two more of the same shall be designated as "Class B", shall be of the denomination of Five Hundred Dollars each, shall be numbered eleven and twelve (11 and 12) respectively, and shall be due and payable in two years from the date of issue appearing therein;

Ten more of the same shall be designated as "Class C", shall be of the denomination of One Hundred Dollars each, shall be numbered from thirteen to twenty-two inclusive, and shall be due and payable in three years from the date of issue appearing therein;

Two more of the same shall be designated as "Class D", shall be of the denomination of Five Hundred Dollars each, shall be numbered twenty-three and twenty-four (23 and 24) respectively, and shall be due and payable in four years from the date of issue appearing therein;

Two more of the same shall be designated as "Class E," shall be of the denomination of Five Hundred Dollars each, shall be numbered twenty-five and twenty-six (25 and 26) respectively, and shall be due and payable in five years from the date of issue appearing therein;

Ten more of the same shall be designated as "Class F," shall be of the denomination of One Hundred Dollars each, shall be numbered from twenty-seven to thirty-six (27 to 36) inclusive, and shall be due and payable in six years from the date of issue appearing therein;

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Two of the same shall be designated as "Class G", shall be of the denomination of Five Hundred Dollars each, shall be numbered thirty-seven and thirty-eight (37 and 38) respectively, and shall be due and payable in seven years from the date of issue appearing therein;

Ten more of the same shall be designated as "Class H", shall be of the denomination of One Hundred Dollars each, shall be numbered from thirty-nine to forty-eight (39 to 48) inclusive, and shall be due and payable in eight years from the date of issue appearing therein;

Two more of the same shall be designated as "Class I", shall be of the denomination of Five Hundred Dollars each, shall be numbered forty-nine and fifty (49 and 50) respectively, and shall be due and payable in nine years from the date of issue appearing therein;

Ten more of the same shall be designated as "Class J", shall be of the denomination of One Hundred Dollars each, shall be numbered from fifty-one to sixty (51 to 60) inclusive, and shall be due and payable in ten years from the date of issue appearing therein;

Two more of the same shall be designated as "Class K", shall be of the denomination of Five Hundred Dollars each, shall be numbered sixty-one and sixty-two (61 and 62) respectively, and shall be due and payable in eleven years from the date of issue appearing therein;

Two more of the same shall be designated as "Class L", shall be of the denomination of Five Hundred Dollars each, shall be numbered sixty-three and sixty-four (63 and 64) respectively, and shall be due and payable in twelve years from the date of issue appearing therein;

Two more of the same shall be designated as "Class M", shall be of the denomination of Five Hundred Dollars each, shall

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be numbered sixty-five and sixty-six (65 and 66) respectively, and shall be due and payable in thirteen years from the date of issue appearing therein;

Two more of the same shall be designated as "Class N", shall be of the denomination of Five Hundred Dollars each, shall be numbered sixty-seven and sixty-eight (67 and 68) respectively, and shall be due and payable in fourteen years from the date of issue appearing therein;

Two more of the same shall be designated as "Class O", shall be of the denomination of Five Hundred Dollars each, shall be numbered sixty-nine and seventy (69 and 70) respectively, and shall be due and payable in fifteen years from the date of issue appearing therein;

Two more of the same shall be designated as "Class P", shall be of the denomination of One Thousand Dollars each, shall be numbered seventy-one and seventy-two (71 and 72) respectively, and shall be due and payable in sixteen and seventeen years respectively from the date of issue appearing therein;

Two more of the same shall be designated as "Class Q", shall be of the denomination of One Thousand Dollars each, shall be numbered seventy-three and seventy-four respectively, and shall be due and payable in eighteen and nineteen years respectively from the date of issue appearing therein;

Two more of the same shall be designated as "Class R", shall be of the denomination of One Thousand Dollars each, shall be numbered seventy-five and seventy-six (75 and 76) respectively, and shall be due and payable in twenty and twenty-one years respectively from the date of issue appearing therein;

Two more of the same shall be designated as "Class S", shall be of the denomination of One Thousand Dollars each, shall be numbered seventy-seven and seventy-eight (77 and 78) respectively, and shall be due and payable in twenty-two and twenty-

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three years respectively from the date of issue appearing therein ;

And the remaining two of said bonds shall be designated as "Class T", shall be of the denomination of One Thousand Dollars each, shall be numbered seventy-nine and eighty (79 and 80) respectively, and shall be due and payable in twenty-four and twenty-five years respectively from the date of issue appearing therein ;

Section 4. Said bonds shall be prepared under the direction and supervision of the said "The Commissioners of the Town of Harrington" and shall be signed by the President of said Board, attested by the Secretary thereof, and sealed with the corporate seal of the said "The Commissioners of the Town of Harrington."

It shall be the duty of the persons then holding said offices of President and Secretary to execute said bonds, or any part thereof, in their official capacities, and to affix the corporate seal of "The Commissioners of the Town of Harrington" thereto from time to time when and as directed so to do by the said The Commissioners of the Town of Harrington by a Resolution to that effect.

It shall, also, be the duty of the Treasurer of the said "The Commissioners of the Town of Harrington" to keep a record of all said bonds that shall be issued under the provisions of this Act.

Section 5. The bonds herein provided for, or any part thereof, may be issued and sold, at not less than their par value from time to time when and as the said "The Commissioners of the Town of Harrington" shall by resolution to that effect direct, and the proceeds arising therefrom shall be deposited with the Treasurer of the said "The Commissioners of the Town of Harrington" in a separate account to be opened by him, and to be used for the purpose of carrying into effect the provisions of Section 1 of this Act.

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Any and all overdue coupons on said bonds at the time of the sale thereof shall be detached therefrom before delivery to the purchaser or purchasers thereof, and said coupons shall be cancelled in such manner as the said Commissioners may direct. On the sale of said bonds, or any part thereof, the said Treasurer of the said "The Commissioners of the Town of Harrington" shall give such additional bond, with such surety and in such form, as the said Commissioners may prescribe and approve.

Section 6. For the purpose of raising the necessary funds for the annual payment and redemption of said bonds, as is provided in Section 3 hereof, and, also, for the payment of interest thereon, the said "The Commissioners of the Town of Harrington" are hereby further authorized, empowered and directed to assess, raise and collect annually, in the same manner as is now provided by law for assessing, raising and collecting other taxes in said town, such further and additional sums of money as shall, in their judgment, be necessary for said town to raise to meet the interest on said bonds as the same shall accrue and be due, and to pay and redeem the principal debt represented by said bonds when and as the same shall become due and payable, according to the provisions of Section 3 of this Act, if there shall be no other funds that may be used for the payment of such interest and principal.

The sums that may be assessed, raised and collected under and by virtue of the provisions of this Section shall be in addition to the sums assessed, raised and collected by the said "The Commissioners of the Town of Harrington" for ordinary town purposes.

This section is subject, however, to the proviso that any sum necessary to be levied and assessed under and by virtue of its provisions shall not exceed the interest on the bonds then outstanding and the par value of the bonds due and payable that year by more than twenty (20%) per cent of the aggregate amount of said interest and the par value of said bonds. As the said bonds and the coupons thereon are paid from time to

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time, the same shall be cancelled in such manner as the said "The Commissioners of the Town of Harrington" shall direct.

Section 7. The bonds herein provided for, or any of them, may be called in, paid and redeemed at par and accrued interest, at the option of the said "The Commissioners of the Town of Harrington" out of any funds then available for that purpose, at any interest period after said bonds shall have been issued and sold five years.

Provided, however, that if the said "The Commissioners of the Town of Harrington" shall elect to redeem any of said bonds at the expiration of five years, as aforesaid, notice to that effect shall be published in, at least, four issues of two newspapers; one published in the City of Wilmington and one in Kent County.

In calling said bonds for redemption and payment they shall be called consecutively commencing with the lowest number; and the interest on all said bonds so called shall cease to accrue from and after the interest period next succeeding the date of such notice. Said bonds, when paid and redeemed as aforesaid, shall be cancelled in such manner as the said "The Commissioners of the Town of Harrington" shall direct.

Section 8. Subject to the provisions of Section 3 hereof, the bonds herein provided for, and the coupons thereto attached, shall be in such form as the said "The Commissioners of the Town of Harrington" shall prescribe and adopt; provided, however, that they shall contain a provision for the redemption thereof, as is provided in Section 7 hereof.

Section 9. The bonds issued under the provisions of this Act shall be exempt from all State, County, Municipal or other taxes that may now, or hereafter be levied and assessed.

Section 10. That the Board of Town Commissioners of "The Commissioners of the Town of Harrington" are hereby

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authorized and empowered to do any and all things that may be necessary for the purchase of the water plant now located in said town and for the proper equipment and operation of the same, or for the location, erection, construction and equipment of a new plant by said town, as they may deem most proper and expedient and to the end that the said Town of Harrington and the citizens thereof may be furnished with an ample water supply, not only for domestic and other uses, but for protection from fire, and to effect this object said commissioners shall, also, have power to lay water pipes and mains under any of the streets, lanes, or alleys of said town or any roads adjacent thereto.

If it shall be necessary or expedient to acquire lands for any purpose connected with the furnishing of a proper water supply, and such lands cannot be acquired by agreement with the owner or owners thereof, the same may be taken for the purpose aforesaid in the name of the said "The Commissioners of the Town of Harrington" in the same manner and subject to the same conditions and proceedings as are now provided by law in the Charter of the said Town of Harrington, for condemning and taking lands for the purpose of laying out, opening, extending or widening any street, road, lane or alley in said town.

Section 11. The said Board of Town Commissioners of "The Town of Harrington" shall have the complete control and management of any water plant that may be purchased or established by it in the said town of Harrington. It shall grant to all persons whomsoever the privilege of using the water conveyed and distributed by them in said town in such a manner and on such terms and conditions as to them may seem just and proper. It shall pass and adopt such rules and regulations touching the said water, its distribution through the said town and the streets thereof, the regulation of the use of water in case of fire, and the general management and control of the water supply, as to the said Water Commissioners shall, at any time, seem most expedient and proper.

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Section 12. That any person or persons wilfully or negligently injuring the water plant, hereby provided for, or any part thereof, or obstructing the passage of water to or from the same, or in any manner polluting the water required for said water plant at its source or at any point below said source, or who shall wilfully or negligently injure the machinery or other apparatus used in connection therewith, shall for every offense forfeit and pay to "The Commissioners of the Town of Harrington" a fine not exceeding One Hundred (\$100.00) Dollars, to be recovered by said Commissioners before the Alderman of said Town, or any of the Justices of the Peace residing in Kent County. The said "The Commissioners of the Town of Harrington" shall, also, have power to impose fines and penalties for the enforcement of all such ordinances as they shall make, touching the protection of the water plant provided for by this Act.

Section 13. That before any bonds shall be issued under the provisions of this Act a special election shall be held in the same place and in the same manner as other town elections. Notice of said election shall be given by advertisements in the nearest County newspaper and by posting notices in at least ten public places in said town at least two weeks before the said election, which advertisements and notices shall state the time and place of the election and the amount of bonds proposed to be issued, and the purpose for which the said money is to be borrowed. At said election every taxable paying town taxes in the said town shall be entitled to vote and shall have one vote for each dollar or fractional part of a dollar of taxes paid by such taxable according to the last assessment in the said town, and for the purposes of this election residence shall not be a qualification to voting in the said town. At said election the ballots used shall have written or printed thereon the words "for the bond issue" or the words "against the bonds issue." If at such elections a majority of the votes cast shall be for the bond issue, then bonds to the amount voted on may be issued as in this

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Act provided, but if at such election the majority shall be against the bond issue, then no bonds shall be issued nor money borrowed under this Act.

Approved March 28, A. D. 1921.

CHAPTER 135

CITIES AND TOWNS

AN ACT to amend an Act entitled "An Act to reincorporate the Town of Harrington," being Chapter 209 of Volume 24 of the Laws of Delaware, as amended by Chapter 230 of Volume 26 of the Laws of Delaware, by Chapter 146 of Volume 29 of the Laws of Delaware, and as amended by Chapter 139 of Volume 30 of the Laws of Delaware, prescribing the amount that may be raised by taxation in said Town of Harrington.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met (two-thirds of the members of each House concurring therein):

Section 1. That Section 13 of Chapter 209 of Volume 24 of the Laws of Delaware, as amended by Chapter 230 of Volume 26 of the Laws of Delaware, by Chapter 146 of Volume 29 of the Laws of Delaware, and by Chapter 139 of Volume 30 of the Laws of Delaware, be and the same is hereby amended by striking out the first sentence of said Section 13 and inserting in lieu thereof the following words:

"Section 13. That the commissioners shall at the first stated meeting in every year determine the amount of tax to be raised in said town for that year which amount shall not exceed six thousand and five hundred (\$6,500.00) dollars excluding the dog tax."

Approved February 23, A. D. 1921.

CHAPTER 136

CITIES AND TOWNS

AN ACT to amend an Act entitled "An Act to re-Incorporate the Town of Milford," approved March 9, A. D. 1907, being Chapter 210, Volume 24 of the Laws of Delaware, as the same has been heretofore amended.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House concurring therein):

Section 1. That the Act entitled "An Act to Re-Incorporate the Town of Milford", approved March 9, 1907, being Chapter 210, Volume 24, of the Laws of Delaware, as the same has been heretofore amended, be and the same is hereby amended as follows:

a. By striking out the words: "and is a taxable thereof", in the eighteenth and nineteenth lines of Section 3 of said Act;

b. By inserting the words "and female" between the word "male" and the word "residents" in the ninth line of Section 13 of said Act;

c. By striking out the words "and all male citizens above the age of twenty-one years who have taken up their residence in said town during the year" in lines twenty-six, twenty-seven and twenty-eight of Section 13 of the said Act, and by inserting in lieu of the words so stricken out, the following words—"and all male and female residents of said town above the age of twenty-one years not already assessed."

Approved March 28, A. D. 1921.

CHAPTER 137

CITIES AND TOWNS

AN ACT Increasing the amount to be raised by taxation in the Town of Ellendale.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each Branch thereof concurring, therein) :

Section 1. That from and after the passage of this Act the amount to be raised by taxation by the Town of Ellendale, Sussex County, Delaware, shall be any amount determined upon by the Commissioners of said Town not exceeding One Thousand Dollars in any one year and all parts of the charter of said town and the amendments thereto in conflict with this Act be and the same are hereby repealed.

Approved February 2, A. D. 1921.

CHAPTER 138

CITIES AND TOWNS

AN ACT to amend Chapter 202, Volume 25, Laws of Delaware, the same being entitled "An Act to re-incorporate the Town of Georgetown" by increasing the power of the Town Council.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branch of the Legislature concurring therein) :

Section 1. That the Town Council of Georgetown shall have power and authority to make and publish ordinances establishing fire limits and forbidding the use of inflammable materials in buildings or in the erection thereof within such limits.

Section 2. That the Town Council of Georgetown shall have power and authority to make and publish such ordinances as may be necessary to provide the permits to erect or repair, enlarge or rebuild any buildings or structures within the limits of the Town of Georgetown and to make it unlawful to erect or repair, enlarge or rebuild any buildings or structures in said town without a permit from the said town through the properly constituted authorities.

Approved March 15, A. D. 1921.

CHAPTER 139

CITIES AND TOWNS

AN ACT entitled An Act authorizing the Commissioners of "The Commissioners of Millsboro" to borrow money and issue bonds to secure the payment of the same for the purpose of providing a supply of water and an electric lighting system for the Town of Millsboro.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of the members elected to each branch concurring therein):

Section 1. That the Commissioners of "The Commissioners of Millsboro," a municipal corporation of the State of Delaware, be and are hereby authorized and empowered to borrow upon the credit of the said "The Commissioners of Millsboro" a sum of money not exceeding the sum of Twenty-five Thousand Dollars (\$25,000), which shall be applied, appropriated and expended for the purpose of erecting water works and furnishing the said Town with an ample supply of water for domestic purposes, and for the protection of said Town against fire, and for the purpose of constructing an electric lighting system through the said Town. That the said Commissioners of "The Commissioners of Millsboro" for the purpose of carrying into effect the provisions of this Act shall have the power and authority and are hereby directed to issue bonds of "The Commissioners of Millsboro" of such denominations as they shall deem best, bearing interest at a rate not exceeding six per centum per annum payable semi-annually on the first days of July and January respectively, in each year at such Bank or Trust Company as the said Commissioners shall designate. The principal of such Bonds shall be made payable in twenty-five years from the date of the issue thereof. The said Commissioners of "The Com. of Millsboro" reserving the power and authority of redeeming said Bonds or any part of them, at the expiration of one year from the date of the issue of the same; provided,

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however, that if the said Commissioners of "The Commissioners of Millsboro" elect to redeem any of said Bonds at the expiration of one year as aforesaid, such election shall be *affected on the first days of July and January. In calling said Bonds for redemption and payment they shall be called consecutively, commencing with the lowest number, the interest on all said Bonds so called shall cease from the date of the redemption thereof and said Bonds when paid shall be cancelled. If at any time before said Bonds are payable or called in, any owner or owners of any such Bond or Bonds shall offer the same for redemption, the Commissioners of "The Commissioners of Millsboro" may, if they deem it expedient, redeem and pay the Bond or Bonds so offered and cancel the same, the interest thereon ceasing from the date of such redemption.

That before any Bonds shall be issued under the provisions of this Act, a special election shall be held in the same place and in the same manner as other town elections. Notice of said election shall be given by advertisements in two or more newspapers of said County and by posting notices in at least ten public places in said town at least two weeks before the said election, which said advertisements and notices shall state the time and place of the election and the amount of Bonds proposed to be issued, and the purpose for which the said money is to be borrowed. At said election every taxable paying town taxes in the said town shall be entitled to vote and shall have one vote for each dollar, or fractional part of a dollar, of taxes paid by such taxable according to the last assessment in the said town, and for the purposes of this election residence shall not be a qualification to voting in the said town. At said election the ballots used shall have written or printed thereon the words "For the bond issue", or the words "Against the bond issue." If at such election a majority of the votes cast shall be for the bond issue, then bonds to the amount voted on may be issued as in this Act provided, but if at such election the majority shall be against

*So enrolled.

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the bond issue, then no bonds shall be issued nor money borrowed under this Act.

Provided, however, that the bonds authorized by this section shall be in addition to the authority for bonding under Sections 26, 27 and 28, of Chapter 203, of Volume 25, Laws of Delaware.

Section 2. That the Commissioners of "The Commissioners of Millsboro" shall direct and effect the publication and printing of the Bonds authorized by this Act, and shall prescribe the form of said Bonds which shall be signed by the President of the Commissioners, and countersigned by the Treasurer of the said "The Commissioners of Millsboro" and shall be sealed with the corporate seal of the said "The Commissioners of Millsboro" and be exempt from all State, County and Municipal taxes. That the Commissioners of "The Commissioners of Millsboro" shall negotiate the sale and delivery of the said Bonds and the moneys arising from the sale of said Bonds shall be placed in the hands of the Treasurer of the said "The Commissioners of Millsboro" to be used for the purpose of carrying into effect the provisions of this Act.

Section 3. That the Commissioners of "The Commissioners of Millsboro" are hereby authorized and required to levy upon all the assessable property within the limits of the said Town annually a special tax sufficient to pay all the interest accruing on said Bonds, which the rents and revenues derived from said water works may be inadequate to meet, provided that this special tax shall not exceed Fifteen Hundred Dollars (\$1500) in any one year. The said Commissioners of "The Commissioners of Millsboro" shall in each year levy a further special tax upon the assessable property within the limits of said Town for the purpose of establishing a sinking fund adequate to the redemption, at or before maturity as prescribed in this Act of all the Bonds which may be issued under the provisions of this Act, provided that the amount to be raised for this purpose shall not exceed Seven Hundred and Fifty Dollars (\$750) in any one

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year. The special tax provided for in this section shall be collected from the assessable property within the limits of said Town in the same manner as other taxes levied by the said Commissioners of "The Commissioners of Millsboro" are collected. The sinking fund provided for by this Act shall be deposited in a Bank or Trust Company in Sussex County, or may be invested by the Commissioners of "The Commissioners of Millsboro" until such time or times as it may be needed for the redemption of the bonds on such surety as the said Commissioners may approve. The Treasurer of the said "The Commissioners of Millsboro" shall give additional Bond with surety for such sums as the Commissioners may determine and approve.

Section 4. The Commissioners of the said "The Commissioners of Millsboro" is hereby authorized and empowered to do all things necessary for the location, erection, construction, equipment and operation of said water works and electric lighting system, for furnishing the said "The Commissioners of Millsboro" with an ample supply of water and providing an electric lighting system for the same, as aforesaid, and to purchase hose and hose carriages, and such other instruments and machines for use in the suppression *on fires, as to said Commissioners may seem expedient and to provide for the care and maintenance of the same, and to purchase and erect engines, boilers, pipes, poles, wires and all such instruments, machines, appliances and supplies as may be necessary for the purpose of establishing said water works and electric lighting system in the said Town of Millsboro and for furnishing the citizens and inhabitants of said Town a supply of water and an electric lighting system for private and public use, and to affect this option shall have power to lay pipes and erect poles and wires under, over or along any of the roads, lanes, or alleys of said Town, or any road adjacent thereto; and also to contract and agree with the owner or owners for the *operation or purpose of any and all lands which may be necessary for the purpose of carrying into effect the provisions of this Act.

*So enrolled.

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If the owner or owners of said land or lands, or any of them shall refuse to permit the Commissioners of "The Commissioners of Millsboro" to enter upon and occupy said land or lands for the purpose aforesaid, and if such owner or owners be unable or unwilling to contract and agree with the said Commissioners upon the compensation to be made for any real or supposed injury that may be done to said lands by such entry and occupancy then the Commissioners of "The Commissioners of Millsboro" shall have the power and authority to go upon said land or lands, and they, or a majority of them after viewing the same may assess the damages of said owner or owners fairly or impartially under all the circumstances, and certify their finding and award in writing to the said owner or owners of said land or lands, and if such owner or owners be not resident within the said Town to certify their finding and award to the owner or tenant of said real estate, but if there be not owner or tenant resident in said Town, the said notice shall be affixed to the most conspicuous part of the premises which shall be as effectual as personal service of the same. If any owner be dissatisfied with the amount of the compensation or damages allowed by the said Commissioners of "The Commissioners of Millsboro," as aforesaid he or she may within five days after such notice as aforesaid, appeal from the said assessment of compensation or damages by serving written notice to that effect on the President or other presiding officer of the Commissioners of "The Commissioners of Millsboro." In order to prosecute said appeal, such owner or owners shall, within five days after the expiration of the five days allowed for the appeal, and upon five days notice to the said President or presiding officer of the Commissioners of "The Commissioners of Millsboro", make written application to the Associate Judge of the Superior Court of this State, resident in Sussex County, for the appointment of a Commission to hear and determine the matter in controversy, and thereupon the said Associate Judge shall issue a commission, under his hand directed to five freeholders of the said County, three of whom shall be residents of the said Town of Millsboro, and two of whom shall be non-residents of the said Town, commanding them to assess the damages which the owner

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or owners of the said lands intended to be taken, occupied or used for the purpose of this Act, as aforesaid, (and who shall have notified said Commissioners of their intention to appeal) may sustain or incur by reason of such use or occupancy, and make return of their proceedings to the said Associate Judge at the time therein appealed. The freeholders named in such Commission being first sworn or affirmed as in said Commission shall be directed, shall view the premises, and they or a majority of them shall assess the damages as aforesaid, and shall make return in writing of their proceedings, in the premises to the Associate Judge, who shall deliver said return to the said Commissioners of "The Commissioners of Millsboro" which shall be final and conclusive. The said Associate Judge shall have power to fill any vacancies in the Commission. The amount of damages being so ascertained, the said Commissioners of "The Commissioners of Millsboro" may pay or tender the same to the person or persons entitled thereto within one month after the same shall be ascertained, or if the person or persons so entitled reside out of or are absent from the said Town during the said period of one month, then the same may be deposited to his or her credit in any responsible Bank or Trust Company in Sussex County within said time and thereupon said property or land may be taken or occupied for the use aforesaid. In the ascertainment of damages by the freeholders aforesaid, if the damages shall be increased the costs of the appeal shall be paid by the Treasurer of "The Commissioners of Millsboro", or by the Treasurer designated by the said Commissioners of "The Commissioners of Millsboro," out of the money in his hands arising from the sale of certain Bonds, but if said damages shall not be increased the cost of the appeal shall be paid by the Appellant. The fees of the freeholders shall be Two Dollars per day each, which shall be entered as part of the costs. If the damages shall be fixed and ascertained by the freeholders, aforesaid, the said Commissioners of * "The Commissioners of "The Commissioners of Millsboro" shall have the option to pay the damages assessed within the time aforesaid, and to proceed

*So enrolled.

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with the said improvements, or upon the payment of costs only may abandon their intention of taking and occupying said land or lands for the purposes aforesaid.

Section 5. That the Commissioners of "The Commissioners of Millsboro" shall have the supervision and control of all public mains, pipes, sewers, poles, wires, lights and drains within the limits of said Corporation, and alter, repair, or remove the same and may cause new mains, poles, wires, lights and sewers to be made and opened. The said Commissioners may cause such mains, pipes, sewers, poles, wires, lights and drains to be laid in or on any of the said streets, lanes or alleys of the said Town in such manner and of such material as the said Commissioners may deem proper. The Commissioners may if they shall deem it advisable make proper outlets for any of the water pipes to be laid in any of the streets, lanes or alleys of the said Town. The said Commissioners shall make rules regulating the tapping of public mains by the owners of the abutting lands and shall provide for the creating of permits for the same and for the payment of such tapping fees as the said Commissioners shall deem proper, and they shall prescribe the material of all private drains or pipes which shall hereafter enter into any public main and shall direct the manner in which they shall be laid.

Section 6. The said Commissioners of "The Commissioners of Millsboro" is hereby authorized and empowered to pass such ordinances as they shall deem necessary for the operation, maintenance and control of said water works and electric lighting system. The protection of the same, the distribution of said water through the streets, *lands and alleys of "The Commissioners of Millsboro," the regulation of its use in case of fire and shall grant to all persons, in said town whomsoever the privilege of using the said water in such manner and on such terms and conditions as to them may seem just and proper.

Section 7. That any person or persons designedly or negligently injuring the said waterworks or electric lighting sys-

*So enrolled.

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tem, or any part thereof, or obstructing the passage of water to or from the same, or any manner polluting the water required for said water works, and its source or at any point below such source, shall, for every such offense forfeit and pay to the Commissioners of "The Commissioners of Millsboro" a fine not exceeding One Hundred Dollars (\$100) to be recovered by the said "The Commissioners of Millsboro" before any Justice of the Peace residing in Sussex County. The said Commissioners of "The Commissioners of Millsboro" shall have power to impose fines and penalties for the violation of any ordinances passed by them touching the protection of the said water works and electric lighting system.

Section 8. That the faith of the said "The Commissioners of Millsboro" is hereby pledged for the payment of the Bonds authorized to be issued under this Act.

Section 9. That this Act shall be deemed and taken to be a Public Act.

Approved March 16, A. D. 1921.

CHAPTER 140

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AN ACT to amend an Act entitled "An Act to reincorporate the Town of Milton," being Chapter 193, Volume 23, Laws of Delaware.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House concurring therein) :

Section 1. That Chapter 193, Volume 23, Laws of Delaware, be and the same is hereby amended by striking out of the fourth paragraph of Section 2 of said Chapter after the word "vote" in the fifth line of said paragraph the words "and every female citizen residing in said town who shall be of the age of twenty-one years and shall have paid the town tax last assessed to her shall have the right to vote by paying the Treasurer of said town the sum of One Dollar," and by inserting in lieu thereof the words "and every female citizen residing in said town of the age of twenty-one years shall have the right to vote, unless there be a town tax assessed against her then remaining unpaid."

Section 2. That all parts of said Chapter 193, Volume 23, and all the amendments thereof which are inconsistent herewith are hereby repealed or amended to conform with this Act.

Approved March 15, A. D. 1921.

CHAPTER 141

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AN ACT to amend Chapter 220, Volume 24, Laws of Delaware, entitled, "An Act to re-Incorporate the Town of Lewes, by increasing the amount of taxes which may be levied by the Commissioners of Lewes.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House concurring therein) :

Section 1. That Section 14, of Chapter 220, Volume 24, Laws of Delaware, be amended by striking out the first paragraph of said Section 14, and by inserting in lieu thereof the following:

"The said Commissioners of Lewes are hereby authorized and empowered, for the purpose of general improvement, current expenses, and for the payment of interest on the bonded indebtedness of said Town of Lewes, and to provide for sinking funds which may be necessary to liquidate said bonded indebtedness, to levy and collect a tax not exceeding in any one year the sum of Five Thousand Dollars, to be raised by way of tax upon residents of said town, and upon all the real estate within said town, which is not expressly exempted from assessment and taxation by law, and upon all the public or vacant land within or without the limits of said town, vested in said town, which shall be occupied, enclosed, or the use or privilege thereof claimed by any person or persons, and upon the improvements on such public or vacant land."

Approved March 28, A. D. 1921.

CHAPTER 142

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AN ACT authorizing Commissioners of Lewes to borrow money and to issue bonds to secure the payment thereof, for the purpose of providing for repairs and improvements to the electric light plant and water works, for the extension and repairs of sewers, for the extension of water mains and additional fire plugs, for the improvement of streets and for the payment of indebtedness of the Board of Public Works of the Town of Lewes.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of the members of each branch concurring therein):

Section 1. That Commissioners of Lewes are hereby authorized and empowered to borrow, on the credit of the Town of Lewes, a sum of money not to exceed \$20,000.00, which shall be applied, appropriated and expended for repairs and improvements of the Electric Light Plant and Water Works in said Town, for the repair and extension of sewers, for the repair and extension of water mains and for additional fire plugs, for the improvement of streets and for the payment of indebtedness of the Board of Public Works of said Town of Lewes.

That said Commissioners of Lewes shall have the powers and authority to issue bonds of the Town of Lewes of such denominations as they shall deem best, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually, on the first days of July and January, respectively, in each year, at such Bank or Trust Company as said Commissioners of Lewes shall designate. The principal of such bonds shall be made payable in forty years from the date of the issue thereof, said Commissioners of Lewes reserving the power of redeeming said bonds, or any part of them, at the expiration of twenty years from the date of the issue thereof; provided, however, that if said Commissioners of Lewes elect to redeem any of said bonds at the expiration of twenty years, as aforesaid, such election shall be effected on the first days of July and January, and in pursuance

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of a notice to that effect published by said Commissioners of Lewes in at least four issues of two newspapers, one published in the City of Wilmington, and one published in Sussex County. In calling said bonds for redemption and payment they shall be called consecutively, commencing with the lowest number; the interest on all said bonds so called shall cease from the date of redemption thereof, and said bonds, when paid, shall be cancelled.

If at any time after the issue of said bonds and before they are payable or called in, any holder of any such bond shall offer the same for redemption, Commissioners of Lewes may redeem and pay said bond so offered, and cancel the same, the interest thereon ceasing from the date of such redemption.

Section 2. Commissioners of Lewes shall direct and effect the preparation and printing of the bonds authorized by this Act, and shall prescribe the form thereof; the said bonds shall be signed by the Mayor of Lewes and countersigned by the Secretary of Commissioners of Lewes, and shall be sealed with the corporate seal of Commissioners of Lewes, and shall be exempt from all State, County and Municipal taxes.

After the said bonds and coupons thereon are paid, the same shall be cancelled in such manner as Commissioners of Lewes shall direct. The bonds shall be placed in the hands of the Board of Public Works of the Town of Lewes, which said Board of Public Works shall negotiate the sale and delivery thereof, and the proceeds of the sale of the said bonds shall be deposited with the Treasurer of said Board of Public Works to be used for the purpose of carrying into effect the provisions of this Act.

Section 3. Commissioners of Lewes are authorized and directed to establish a sinking fund adequate to the redemption at or before the maturity, as provided in this Act, of all bonds which may be issued under the provisions hereof. Commissioners of Lewes shall set aside each year, a sum of money derived from taxation, not to exceed \$1,000 in each year, which said money shall be deposited in a Bank or Trust Company of Sussex County, for the purpose of redeeming said bonds as prescribed

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herein. Commissioners of Lewes may invest said money until such time as the same shall be needed for the redemption of said bonds, on such surety as the Board of Public Works may by resolution approve.

The Treasurer of the Town of Lewes shall give such additional bond with sufficient surety as the Commissioners of Lewes may determine and approve.

Section 4. The faith and credit of said Town of Lewes is hereby pledged for the payment of the bonds authorized to be issued under this Act.

Section 5. Before any bonds shall be issued under the provisions of this Act, a special election shall be held in the same place and in the same manner as other town elections. Notice of said election shall be given by advertisements in the nearest County newspaper and by posting notices in at least ten public places in said town at least two weeks before the said election, which said advertisements and notices shall state the time and place of the election and the amount of bonds proposed to be issued, and the purpose for which the said money is to be borrowed. At said election every person paying town taxes in the said town shall be entitled to vote and shall have one vote for each dollar or fractional part of a dollar of taxes paid by him or her according to the last assessment in the said town, and for the purposes of this election residence shall not be a qualification to voting in the said town. At said election the ballots used shall have written or printed thereon the words "for the bond issue," or the words "against the bond issue." If at such election a majority of the votes cast shall be for the bond issue, then bonds to the amount voted on may be issued as in this Act provided, but if at such election the majority shall be against the bond issue, then no bonds shall be issued nor money borrowed under this Act."

Approved March 28, A. D. 1921.

CHAPTER 143

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AN ACT to enable Commissioners of Lewes to acquire by purchase, or by condemnation, lands, buildings and other property for the purpose of establishment of public parks and ornamental spaces in the Town of Lewes.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each Branch of the Legislature concurring) :

Section 1. Commissioners of Lewes are hereby authorized, empowered to purchase lands, buildings, leaseholds and other property including buildings on the public lands vested in the Town of Lewes, and the leaseholds of said public lands for the purpose of establishing public parks and ornamental spaces in said town, and if the said lands, buildings and leaseholds cannot be acquired by purchase, to condemn the same for the purpose aforesaid.

Whenever Commissioners of Lewes cannot agree with the owner of any land, building, leasehold or other property necessary to be taken or used in the construction and establishment of public parks and ornamental spaces, said Commissioners of Lewes may apply to the Associate Judge of the State of Delaware resident in Sussex County, first giving to the other party or owner at least five days' notice in writing of the intended application, if such party or owner is within the State, and if said party or owner is unknown or without the State, or if under legal disability and having no legal representative in the State, then such notice shall be published in some newspaper in the County of Sussex at least ten days prior to the intended application, and such publication shall be sufficient notice; upon application being made as aforesaid, the said Judge shall appoint five judicious and impartial freeholders of said County of Sussex, two of whom shall be residents of said Town of Lewes, to view the premises

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and to assess the damages which the owner of the property to be taken will sustain by reason of the establishment of said parks and ornamental spaces. The said Judge shall have power to fill any vacancy in the Commission. The freeholders shall be sworn or affirmed before some officer authorized to administer oaths and affirmations, before viewing the premises, faithfully and impartially to perform the duties assigned to them. They shall give ten days' notice in writing to the owner of the property proposed to be condemned or to the guardian thereof, if within the State, and to said Commissioners of Lewes of the time of their meeting to view the premises and to assess the damages; if the owner is unknown, or without the State, or under legal disability and having no legal representative in the State, publication of such last-mentioned notice shall be made in some newspaper published in Sussex County at least ten days prior to said meeting, and such publication shall be sufficient notice thereof. The said Commissioners shall keep a record of their proceedings with their findings and awards and shall return the same to the Prothonotary of Sussex County, and shall certify their findings and awards to the owners of the property and to Commissioners of Lewes; if the said Commissioners of Lewes or any party in interest is dissatisfied with the finds and awards, it or he, may on application to said Prothonotary within fifteen days after such findings and awards have been made and filed, sue out a writ of *ad quod damnum*, requiring the Sheriff of said County, in the usual form, to inquire of twelve impartial men of his bailiwick of the damages which will be sustained as aforesaid, and their report shall be final. The amount of damages being ascertained, Commissioners of Lewes may pay or tender the amount thereof within two months after the same shall have been ascertained to the person entitled thereto, or, if the person entitled refuses to accept the same, or resides out of the County, or is absent from the County during all or any part of the said two months, the same may be deposited to his credit in any Bank of said Town of Lewes, within said time, and thereupon the said property may be taken and used for the purpose for which it was condemned.

The expenses of the assessment by the said Commissioners of the damages aforesaid, shall be paid by the Commissioners of

Lewes; and in the event of a writ of ad quod damnum being sued out by the owner of land or property proposed to be condemned, if the damages shall be increased thereby, the costs shall be paid by the Commissioners of Lewes, otherwise the costs shall be paid by the person so suing out said writ.

Whenever any property shall be acquired by said Commissioners of Lewes under the provisions of this Act, the title thereto shall be in Commissioners of Lewes for the purpose for which it was acquired.

Approved February 24, A. D. 1921.

CHAPTER 144

CITIES AND TOWNS

AN ACT to amend an Act entitled, "An Act to Incorporate the Town of Frankford," being Chapter 438, Volume 22, Laws of Delaware, and the amendments thereto.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each Branch thereof concurring therein) :

Section 1. That the Act entitled, "An Act to Incorporate the Town of Frankford," being Chapter 438, Volume 22, Laws of Delaware, as heretofore amended, be and the same is hereby amended by repealing and striking out all of the last paragraph of Section 23 of said Act, the same being that paragraph added to said section by Section 2, of Chapter 148, of Volume 30, Laws of Delaware, and by inserting in lieu thereof the following new paragraph at the end of said Section 23, and to be a part thereof, viz:

The amount to be raised by taxation under this section may be increased to any amount above the sum of One Thousand Dollars and not exceeding the sum of Fifteen Hundred Dollars, by a vote taken in said town at a special election held for that purpose, and conducted in all respects as special elections under Section 28 of this Chapter are authorized to be held, except that at any special election under this section the question shall be on the amount proposed to be raised by taxation under this clause of this section, and the ballots shall read, "For the amount above one thousand dollars proposed to be raised by taxation," and "Against the amount above one thousand dollars proposed to be raised by taxation."

Section 2. That at all town elections women shall be per-

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mitted to vote upon the same terms as men and every provision of said chapter limiting the right of suffrage in said town to males, be and the same is hereby repealed.

Approved March 28, A. D. 1921.

CHAPTER 145

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AN ACT to repeal Chapter 211, Volume 25, Laws of Delaware, being entitled "An Act to Incorporate the Town of Roxana."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of the members of each branch of the Legislature concurring therein) :

Section 1. That Chapter 211, Volume 25, Laws of Delaware, being an Act to incorporate the Town of Roxana and all Acts supplementary or amendatory thereof are hereby repealed.

Section 2. This Act shall in no wise interfere with Chapter 230, Volume 25, Laws of Delaware, which provides for the appointment of a Justice of a Peace to reside in Baltimore Hundred, Sussex County and State of Delaware, in the Town of Roxana.

Approved March 15, A. D. 1921.

CHAPTER 146

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AN ACT to amend Chapter 183, of Volume 22, Laws of Delaware, and the various additions and amendments thereto, the same being entitled, "An Act to incorporate the Town of Greenwood" by defining, limiting and extending the duties, terms of office and powers of the Commissioners and other officers of said town.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch thereof concurring therein) :

Section 1. That Sections 3, 19, 20, 21, 23, 24 and 27 of Chapter 183, Volume 22, Laws of Delaware, be and the same are hereby repealed and the following sections, to be known as Sections 3, 19, 20, 21, 23, 24 and 27 of said Chapter and Volume are hereby enacted in lieu thereof:

Section 3. The Commissioners named in this Act shall at the first regular meeting to be held, the second Monday in February in each year appoint an Alderman, whose term of office shall expire on the second Monday in February in the year following his appointment.

An Assessor shall be elected at the annual election to be hereafter held on the third Saturday in January in each year his term of office to expire on the second Monday in February of the year following that of his election.

The Town Council, at the regular meeting next after each annual election, as hereinbefore provided, or as soon thereafter as convenient, shall proceed to elect by ballot an Alderman of the Town of Greenwood, who may or may not be a Justice of the Peace to serve as such for one year from the second Monday in February or until his successor shall be duly elected, subject, however, to be removed from office at any time by a vote of two-thirds of all the members composing the Town Council.

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Before entering upon the duties of his office, he shall be sworn or affirmed by the President of the Town Council, or by any one of the Councilmen, to perform the duties of his office honestly, faithfully and diligently. It shall be his duty to execute all laws enacted for the government of said town and to carry into effect all orders and directions of the Town Council made in pursuance of any law of this State or of any ordinance that the said Town Council may legally make and establish. He shall have all the powers of a Justice of the Peace within the Town, and shall have jurisdiction and cognizance of all breaches of the peace and all other offenses in said town, so far as to arrest and hold to bail, or fine and imprison, offenders and also of all fines and forfeitures and penalties which may be prescribed by any law of this State, or by any ordinance of the Town Council regularly passed and established for the government of the town, and also of all neglects, omissions or defaults of any town constable, collector, assessor, treasurer, town clerk or any other officer or person whose duty it may be to collect, receive, pay over or account for any money belonging to said town, or to execute or obey any law or ordinance thereof; provided, that he shall not impose any fine exceeding Twenty Dollars, or have jurisdiction in civil matters exceeding One Hundred Dollars, exclusive of costs. His fees for any service under this section shall be the same as those of a Justice of the Peace for like service and for any service or duty for which no fee may be provided by law, the fee may be established by ordinance of the Town Council. If any vacancy shall occur in the office of Alderman of the Town of Greenwood, by death, resignation, removal from office or otherwise, such vacancy may be supplied by the Town Council at any meeting thereof for the residue of the term. If any Alderman shall be removed from his office by the Town Council as hereinafter provided, he shall deliver to his successor in office, within two days after the election of his successor, all the books and papers belonging to his office, and shall pay over to the Treasurer of the town all moneys in his hands belonging to the town within five days after his removal. Upon his neglect or failure to pay over to the Treasurer of the town within the time aforesaid all moneys belonging to the town shall be deemed guilty of a misdemeanor

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and upon conviction thereof by indictment shall be fined not less than Twenty nor more than One Hundred Dollars.

Section 19. It shall be the duty of the Council of said Town at the meeting on the second Monday in February in each and every year, or as soon as conveniently may be thereafter, to elect by ballot a Treasurer and Secretary, who shall hold their offices until the second Monday in February next after election and until their successors shall be duly elected and qualified. The Treasurer and Secretary may or may not be the same person and they may at the same time hold the office of Councilman. The said Council shall also have authority to elect by ballot a Collector of Taxes in any year they may think proper to do so. The Treasurer before entering upon the duties of his office shall be sworn or affirmed faithfully, honestly and diligently to perform the duties of his said office, which oath or affirmation may be administered to him by the President of said Council or by any member thereof, or by any Judge, Justice of the Peace or Notary Public. He shall also, before entering upon the duties of his office give bond to the Town of Greenwood with sufficient surety to be approved by the Council of said town in the penal sum of One Thousand Dollars, conditioned for the faithful discharge of the duties of his said office and for the payment to his successors in office of all sums of money belonging to said town which may remain in his hands upon the settlement of his accounts, to which said bond and condition there shall be annexed a warrant of attorney for the confession of judgment for the said penalty. The said Treasurer shall pay all orders drawn on him by order of said Council and signed by the President thereof, out of any moneys in his hands belonging to said Town. He may settle his accounts with the said Council annually by the second Monday in January, and oftener and at such other times as the said Council may require. The Treasurer, Secretary and Assessor of said Town shall each receive a reasonable compensation for their services to be determined by the Council of said Town; provided, the compensation of said Treasurer as such shall not exceed five per cent on all moneys received by him belonging to said town, and of the Secretary acting as Collector shall not exceed eight per cent of the taxes collected by him. The officers elected under the provisions of this Section

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shall continue in office for one year or until their successors are elected.

Section 20. That at the first regular meeting held in 1922, and on the first regular meeting in February in each year thereafter, there shall also be elected an Assessor, who shall be an inhabitant of the Town of Greenwood and who shall not be a member of the Town Council during the year of his service as Assessor.

Section 21. The Town Council shall fix the sum to be assessed upon each and every male and female citizen residing in said town above the age of twenty-one years, as well those owning as those not owning real estate within the limits of said town, but the sum so to be fixed shall be one and the same for every class and description of citizens and shall not exceed the sum of Twenty-five Hundred Dollars in any one year.

Section 23. It shall be the duty of the Assessor of said Town annually to make a true and impartial valuation and assessment of all the real estate within said town, now subject to assessment and taxation by law, and also an assessment of all the male and female citizens residing in said town above the age of twenty-one years, as well those owning as those not owning real estate within the limits of said town, and also the personal property of such citizens subject to County assessment and taxation, also to ascertain the number of dogs within the said town and assess the owner or keeper of dog or dogs fifty cents for each male dog and one dollar for each female dog. That all lots used for farming purposes not cut off from other farm lands by street or road shall be known as farm land, and all farm lands shall be assessed at not more than twenty-five dollars per acre. The rate of tax on farm lands in the town limits shall be one-half the rate of taxation of town property generally. The said Assessor shall make such assessment and return the same to the Council of said Town within three weeks after the second Monday in February in each year. The Council of said Town shall assess the real estate and personal property of the Assessor. The Council of said Town shall as soon as conveniently may be after receiving said assessment list cause a full and complete transcript of said

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assessment list to be prepared and hung up in the post office or such other public or convenient place as the said Council may select in said town, where it shall remain at least five days thereafter for public inspection, and the said Town Council shall on the first Monday in March hold a Court of Appeal which shall continue open from 7 o'clock P. M. to 9 o'clock P. M. of said days, when they shall hear and determine appeals from the said assessment and make correction of, additions to, or alterations in the said assessment. The said Council may adjourn the Court of Appeals from day to day. Notice of the hanging up of said assessment list, and also at the same time notice of the time and place of hearing appeals shall be given by posting such notices in at least five public places in the town of Greenwood. The determination of the Council upon any appeal or upon any matter relating to such assessment shall be final and conclusive. No member of Council of said town shall sit upon his own appeal, but the same shall be heard and determined by the other members of said Council. After the said valuation and assessment shall be examined and adjusted by the Council of said Town, all taxes shall be levied, assessed and raised on the real estate, personal property and persons thus valued and assessed in just and equal proportions and rates. The said Assessor before entering upon the duties of his office shall be sworn or affirmed, diligently, faithfully and impartially to perform the duties of his office to the best of his ability, knowledge and judgment, which oath or affirmation may be administered to him by any judge, Justice of the Peace or Notary Public.

Section 24. The Council of said Town after having ascertained the amount necessary to be raised in the said Town for the purpose of this Act and after having apportioned the same on the assessment and valuation aforesaid shall annually in the month of February, or as soon thereafter as may be convenient, cause to be delivered to the Collector of Taxes, if there be one elected by the Council of the said town in the said year, or if there be none to the Secretary of the said Town Council, a list containing the names of the taxables of said Town as well the owners of real estate as those not owning any real estate, and opposite the names of each, the amount of real estate, his poll

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and assessable personal property and the tax on the whole valuation and assessment and the rate per hundred dollars, and which list shall be signed by the President of said Council, the Collector of Taxes, or if there be none elected in said year, the Secretary of said Town immediately after receiving said list shall proceed to collect the taxes rated and contained in said list, and in collecting same shall have all the powers conferred by law on the collectors of County taxes. The Council of said Town shall have all the power and authority to order the Collector of Taxes, or if there be none, the Secretary to deduct eight per cent from the amount of the tax assessed against the person or property of any who will pay such tax by the tenth day of May in any year following the assessment of said tax. The Collector of Taxes, before entering upon the duties of his office, shall give bond to the Town of Greenwood, with sufficient surety to be approved by the Council of Greenwood, in the penal sum of Five Hundred Dollars, conditioned for the faithful performance of the duties of his office, and the payment to the Treasurer of said Town of all moneys collected by him belonging to said Town, and for the settlement of his accounts with the Treasurer of said Town, in the month of January next following his election as Collector of Taxes, and at such other times as the Council of said Town may require, to which said bond and condition there shall be annexed a warrant of attorney for the confession of judgment for said penalty. The Collector of Taxes shall receive a reasonable compensation for his services, to be determined by the Council of said Town; provided he shall not receive more than eight per cent on the taxes collected by him.

Section 27. The Secretary, if the duties of Treasurer and Secretary are not performed by one person, before entering upon the duties of his office shall be sworn or affirmed faithfully, honestly and diligently to perform the duties of his office, which oath or affirmation may be administered by the President of said Council or by any member thereof, or by the Alderman, Judge, Justice of the Peace or Notary Public. He shall also before entering upon the duties of his office give bond to the Town of Greenwood with sufficient surety to be approved by the Council of said town, in the penal sum of Three Hundred Dollars, con-

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ditioned for the faithful performance of his duties and for the payment of all sums of money belonging to the Town of Greenwood, collected by him, to the Treasurer of the Town of Greenwood, at each and every regular or special meeting of the Town Council, and to settle in full on the second Monday in January of each year. The said Secretary shall also in any year, when no Collector of Taxes shall be elected by Council of said Town, and when required to do so by said Council, collect all the taxes assessed in said Town as hereafter provided. It shall be the duty of the Secretary of the said town to keep a true and faithful record of all the proceedings of the Council of said Town at all meetings held by them, and to do and perform such other matters and things as may be required of him by this Act or which may be provided by any ordinance or ordinances enacted by said Council.

The terms of office of all officers of the town of Greenwood, including all those now in office, shall expire on the second Monday in February, instead of the dates fixed before the passage of this Act. The election in the year of 1922 shall be held under the provisions of this Act, and all subsequent elections and terms of office shall be governed thereby.

All Acts or parts of Acts in any manner inconsistent with this Act are hereby repealed.

Approved March 31, A. D. 1921.

CHAPTER 147

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AN ACT to authorize the council of the Town of Seaford to borrow ten thousand dollars and purchase a Fire Engine and other Fire Equipmeent for the Town of Seaford, and to provide for the payment therefor.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House concurring therein) :

Section 1. That the Council of The Town of Seaford is hereby authorized and empowered to borrow upon the credit of The Town of Seaford, a sum of money not to exceed ten thousand dollars (\$10,000), and for that purpose it may issue bonds or certificates of indebtedness in denominations of five hundred (\$500) dollars, in such form and bearing such rate of interest not exceeding the legal rate, as the Council of The Town of Seaford may deem expedient. The interest upon the said sum so borrowed may be paid annually, or semi-annually, as the said Council of The Town of Seaford may consider proper.

The said bonds or certificates of indebtedness shall all bear the same date, and whatever sum it shall be deemed necessary or expedient to borrow under the provisions of this Act, shall be due and payable in the following proportion and manner, that is to say: Five hundred dollars on or before the expiration of one year from the dates thereof; the further sum of five hundred dollars to be due and payable each and every year thereafter until the sum so borrowed as aforesaid shall be fully paid and liquidated.

Section 2. All moneys so borrowed shall be paid over to the Treasurer of The Town of Seaford, who shall deposit the same to the credit of what shall be known as the Fire Department Fund to be used by said Council of The Town of Seaford for the

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purpose of purchasing a modern fire engine and other fire equipment for the Town of Seaford.

Section 3. To provide for the payment of the principal and interest of said bonds or certificates of indebtedness at the times when the same shall become due and payable, the said Council of the Town of Seaford is hereby authorized and empowered to levy and raise by taxation in addition to the taxes now authorized by law from time to time and in the same manner and on the same class of subjects as such other town taxes are now levied and assessed by law such additional and further sums of money as shall be necessary and adequate for the redemption of said bonds or certificates of indebtedness at and before their maturity.

Section 4. The Council of The Town of Seaford is authorized and empowered to demand and receive from the said Treasurer, such additional security as shall be deemed necessary and proper to secure The Town of Seaford against any loss which may arise or occur under the provisions hereof.

Approved March 15, A. D. 1921.

CHAPTER 148

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AN ACT to amend Chapter 153, Volume 29, Laws of Delaware, being "An Act to re-incorporate the Town of Seaford."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 153, Volume 29, Laws of Delaware, be amended by striking out the word "male" where it occurs in the second line of Section 29 of said Act.

Approved March 15, A. D. 1921.

CHAPTER 149

CITIES AND TOWNS

AN ACT to amend Chapter 164, Volume 29, Laws of Delaware, entitled "An Act to re-incorporate the Town of Laurel" by authorizing the Mayor and Council of Laurel to raise additional money by taxation for public purposes.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House thereof concurring) :

Section 1. That Chapter 164, Volume 29, Laws of Delaware be, and the same is hereby, amended by striking out of the twenty-second paragraph of Section 6 of said Chapter the word "six" and by substituting in lieu thereof the word "twelve."

Approved March 15, A. D. 1921.

CHAPTER 150

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AN ACT to re-incorporate the Town of Delmar.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch of the Legislature concurring therein) :

Section 1. That the town of Delmar in Sussex County, as the same is now bounded as shown by the plot recorded in the office of the Recorder of Deeds in and for Sussex County at Georgetown, in Deed Book C. C. I, Vol. 134, folio 268 and 269, as provided in Section 1, Chapter 286, Volume 21, of the Laws of Delaware, and including in addition thereto the following pieces or parcels of land contiguous to that shown on said plot, to wit: Beginning where the corporate limits, as shown on said plot, intersects the lands of The Delaware Railroad Company on the North and running by and with said railroad to a point which intersects the Southern boundary of a street laid out by the heirs of W. W. Hastings, deceased, and hereafter to be named, it being a continuation of a present private road leading from the residence now or formerly of Aaron B. Francis to the public road known as the "Laurel Road"; thence running in an Easterly direction by and with the Southern side of a street, hereafter to be named, to a point about three hundred feet East of the Laurel Road, it being a point where the same intersects the West Side of Third street extended; thence in a Southerly direction by and with the Western side of Third Street extended to the corporate limits on the North, as shown by said plot; Second: Beginning at a point at the Southeasterly corner of the corporate limits, as shown on said plot, and on the line dividing the States of Delaware and Maryland; thence running in an Easterly direction on said Delaware-Maryland line to a point

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South of the Eastern boundary line of the property of S. H. Whayland; thence in a Northerly direction by and with said Eastern boundary line of said Whayland property to a point one hundred fifty-two and one-half ($152\frac{1}{2}$) feet North of the North side of Grove Street extended; thence in a Westerly direction parallel with said Grove Street extended to a point South of the Eastern boundary line of the new school plot; thence in a Northerly direction by and with said Eastern boundary line of said school plot to the Northern boundary line of said school plot; thence in a Westerly direction by and with the said Northern boundary line of said school plot to the Western boundary line of said school plot; thence in a Southern direction by and with said Western boundary line of said school plot to a point one hundred thirty-six (136) feet three (3) inches North of the Northern side of Jewel Street extended; thence in a Westerly direction parallel with said Jewel Street extended to a prong of the tax ditch known as the Delmar ditch; thence by and with said Ditch to the point of intersection with Hastings Street; thence in a Westerly direction by and with the Northern side of said Hastings Street extended to a point one hundred forty (140) feet East of Third Street to be known in the future as the State Highway; thence in a Northerly direction parallel with said State Highway to the Northern boundary line, as fixed in Addition No. One, hereinabove described; shall be governed and its affairs managed and conducted by a Mayor and four Councilmen.

The Mayor and Council of the Town of Delmar shall have the power to annex any contiguous territory upon the petition of two-thirds of the freeholders of such contiguous territory and to extend and to apply to such contiguous territory all laws, ordinances, resolutions, rules and regulations in force within said town, so far as the same may be legally applicable.

Section 2. That J. F. Thorington, Jr., shall be Mayor, and Samuel N. Culver, J. M. Cleary, Glen T. Hastings and H. M. Waller shall be Councilmen of said town of Delmar, and shall continue to serve as such Mayor and Councilmen respectively for the terms following, to wit: The said J. F. Thorington, Jr.,

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shall serve as Mayor until the first Monday in April, A. D. 1921; the said Samuel N. Culver and J. M. Cleary shall serve as Councilmen until the first Monday in April, A. D. 1921; and the said Glen T. Hastings and H. M. Waller shall serve as Councilmen until the first Monday in April, A. D. 1922. The said Mayor and Councilmen shall serve the terms hereinabove specified, or until their successors shall have been duly elected and qualified, as hereinafter provided, with power to fill any vacancy or vacancies that may occur in their number by death, resignation, removal from the town, refusal to serve or otherwise; and the person or persons so chosen to fill such vacancy or vacancies shall serve until the term of the person or persons in whose place he, she or they may be chosen would expire, in accordance with the foregoing provisions of this section.

Section 3. The Mayor and Councilmen hereby appointed and their successors in office to be chosen, as hereinafter provided, shall be a body politic or corporate in fact and in law by the name of "The Mayor and Council of the Town of Delmar", and may sue and be sued by that name; they shall in addition to the power herein conferred have power to regulate and control the streets, lanes, alleys and sidewalks of said town, and may direct the latter or such part thereof as they may determine to be paved a width not less than three feet, or otherwise improve at the expense of the owner of the ground adjacent; on complaint of any citizen to examine any chimney, stove pipe, fixture or any other matter thought to be dangerous to the town, and if adjudged dangerous to require and compel the same to be remedied or removed; to prevent or abate all nuisances in said town; to prohibit the firing of guns or pistols, making of bonfires, the setting off of fire works or any dangerous sport or practice, and to prevent or suppress any noisy or turbulent assemblage of persons within the town; and generally they shall have all the powers which by any law of this State are conferred upon a municipal corporation.

Section 4. The said "The Mayor and Council of the Town of Delmar" shall have the power and authority to survey and

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lay out within the corporate limits of said town such streets, lanes or alleys as it may deem necessary; it shall first pass a resolution describing and defining the territory proposed to be taken and shall publish such resolution in any newspaper published in the town of Delmar, or shall post copies of said resolution in five or more of the most public and conspicuous places in said town of Delmar; a surveyor shall be employed to lay out any such street, lane or alley desired to be opened; the said "The Mayor and Council of the Town of Delmar" shall then offer to the owner or owners of the land or lands so surveyed and to be taken what it, the said "The Mayor and Council of the Town of Delmar," determines to be a reasonable compensation for the same. If any owner or owners be dissatisfied with the amount of damages or compensation so determined upon, he, she, it or they may, within ten days after receiving notice from "The Mayor and Council of the Town of Delmar" as aforesaid, appeal from the said decision by serving a written notice to that effect on the said "The Mayor and Council of the Town of Delmar", or upon any member thereof. It shall be the duty of the said "The Mayor and Council of the Town of Delmar" thereupon to make application to the Resident Judge of Sussex County, who shall appoint five impartial freeholders of said County, who shall reside outside the corporate limits of said town of Delmar, to go upon and view the grounds so to be taken or occupied. The said freeholders, or a majority of them, shall assess damages accruing to the owner or owners of the land so to be taken, taking into consideration the benefits as well as the disadvantages which may accrue to the property, and shall make return of their proceedings, under oath or affirmation, to the said "The Mayor and Council of the Town of Delmar", which return shall be entered in full upon the journal of the said "The Mayor and Council of the Town of Delmar"; and upon the payment or tender of payment of the amount so assessed as damages by said freeholders to the owner or owners of the land, the said land may be taken or occupied. The award of said freeholders shall be made within fifteen days after their appointment by said resident Judge, and they shall receive and be allowed the sum of Two Dollars each for each day actually served in the performance

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of the duties herein imposed upon them. In case any of said freeholders by reason of sickness or any other unavoidable reason shall not be able to serve, the said Resident Judge shall forthwith appoint other freeholder or freeholders to fill the vacancy or vacancies, so occasioned.

Section 5. The Mayor and Councilmen herein named shall continue in office until the expiration of their respective terms as stated in Section 2 of this Act, and on the first Monday in April, A. D. 1921, and on the same day in every year thereafter, there shall be held an election at the town hall in Delmar, at which election two Councilmen, or two Councilmen and a Mayor, as the case may be, shall be elected to serve for a term of two years. The polls shall remain open from two o'clock until four o'clock in the afternoon of said first Monday in April, and the persons to be chosen as Councilmen and Mayor shall be resident freeholders in said town, and said Councilmen and Mayor shall be elected to serve for a term of two years, or until his or their successor or successors shall have been elected or qualified; said election shall be held by two freeholders of said town, to be named by the said "The Mayor and Council of the Town of Delmar", who shall be judges of the election and decide upon the legality of the votes offered. The said judges of said election may appoint one or more citizens of said town of Delmar to act as Clerk or Clerks of said election. At such election every taxable of the said town of the age of twenty-one years and upwards, who shall have paid the town tax last assessed against him or her, shall be entitled to vote.

Section 6. There shall be twelve stated meetings of the said "The Mayor and Council of the Town of Delmar", each year, the same to be held on the first Monday evening of each and every month, at which stated meetings it may adopt such ordinances as it may deem necessary for the government of said town, the improvement of the streets, the paving or other improvement of the sidewalks, the planting and protection of ornamental trees, the repair and making of public pumps, and for all other matters relating to the general welfare of said town, provided the

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same be not inconsistent with the provisions of the Constitution or the laws of the State of Delaware, or of the United States. By such ordinances it may impose fines, penalties or forfeitures and provide for their collection. The Mayor also, at the request of two or more of the Councilmen may call such special meetings as may be deemed necessary properly to look after the interests and welfare of said town, of which special meetings, all the members of said Council shall be notified, and at such special meetings it shall have the right to transact any business that it may have the power to transact at any stated meeting. The Mayor shall preside at the meetings of the Council, but shall have no vote on any question except in case of a tie vote of the members. He shall have general supervision of the streets of said town, and of the persons who may be employed by the Council, and receive complaints of nuisances and other complaints of citizens of violation of laws and ordinances, which complaints shall be in writing and signed by the complainants, and present the same to the Council at its first meeting thereafter for action, and shall cause anyone who violates the laws and ordinances of the town to be proceeded against before the Alderman. He shall sign all warrants drawn on the Treasurer for the payment of any money and shall perform such other duties as may be prescribed by any ordinance or ordinances of the town. He may be paid for his services any sum which may be unanimously agreed upon by the other members of the Council, provided said sum does not exceed Fifty Dollars in any one year. Each of said Councilmen shall receive the sum of One Dollar for attendance upon each of the stated meetings provided for in this Section, as full compensation for the services rendered to said town.

Section 7. The said "The Mayor and Council of the Town of Delmar" shall at its first stated meeting in every year determine the amount of taxes to be raised in said town for that year, provided that the tax rate shall not in any year be more than forty cents on each one hundred dollars of assessed valuation; and it shall appoint an assessor who may or may not be one of the Councilmen, to make an assessment of persons and property

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in said town; and it shall also appoint a collector and treasurer who may or may not be the same person. It shall be the duty of the assessor of said town within two weeks from his appointment to make a true, just and impartial valuation and assessment of said town, and also an assessment of all the citizens of said town, both male and female, of the age of twenty-one years and upwards, as well those owning real estate as those not owning real estate, a poll tax of One Dollar. Provided, however, that nothing herein contained shall in any way render subject to levy and taxation any property in said town that may now be expressly exempted from taxation and assessment by law. The said assessor, after making said assessment, shall forthwith deliver to "The Mayor and Council of the Town of Delmar" a duplicate containing the names of all persons assessed and the amount of the assessment, distinguishing the real and personal property of each. The Council shall assess the real and personal estate of the assessor. The said "The Mayor and Council of the Town of Delmar" shall within fifteen days after receiving said duplicate assessment list cause a complete and full transcript of said duplicate to be hung up in a public and conspicuous place in said town, there to remain for the space of twenty days thereafter for public inspection; and the said "The Mayor and Council of the Town of Delmar" shall on the Wednesday next after the expiration of the said period of twenty days, from two o'clock to four o'clock in the afternoon, sit to hear appeals from said assessment. Notice of the hanging up of the list, and also at the same time notice of the time and place of hearing appeals shall be given by notices posted in at least six public places in said town. They shall have the power on such day to add to or take from the amount of any assessment, except that of poll tax which shall always remain at One Dollar per capita. The decision of a majority of the said "The Mayor and Council of the Town of Delmar," upon any appeal shall be final and conclusive. No member of said Council shall sit upon his own appeal, but the same shall be heard and determined by the others. Immediately after the appeal day the said "The Mayor and Council of the Town of Delmar" shall cause the assessment list to be transcribed and the transcript to be delivered to the Collector.

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He thereupon shall collect from each taxable his proportion of the tax assessed and pay over the whole amount, after deducting his commissions and any delinquencies which may be allowed to the Treasurer, on or before the thirtieth day of June next after the receipt of his duplicate. The collector shall have the same power in the collection of said taxes as is conferred by law upon the Receiver of Taxes and County Treasurer of Sussex County.

All taxes shall be due and payable as soon as the warrant for the collection thereof is placed in the hands of the collector; and upon all taxes which are not paid within sixty days after said warrant is placed in the hands of the collector, there shall be added and collected, in addition to the original amount of said tax, a penalty of one per centum per month, so long as such tax shall remain unpaid.

Section 8. The said "The Mayor and Council of the Town of Delmar" shall have authority to use the money in the Treasury of the town for the general improvement, benefit and ornamentation of said town, and all money paid out by the Treasurer shall be paid only upon order of the said "The Mayor and Council of the Town of Delmar;" provided, that the said "The Mayor and Council of the Town of Delmar" shall have no authority to create debts or obligations on said town to an amount greater than is authorized to be raised by taxation, together with what it may receive from the Levy Court of Sussex County. At the end of each year a financial statement, showing in detail the receipts and expenditures of the town for the year then closing, shall be made and published in a newspaper published in the town of Delmar, or posted in some public and conspicuous place in said town.

Section 9. Any ordinances which may be adopted for the paving or improving of the sidewalks of the town, shall apply only to those persons owning the property along or in front of which said pavements are to be laid, and said persons so owning said property in fee shall bear the expense of making the pavement or other improvements when the same shall be ordered. If such ordinances be not complied with in three months after

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proper notice upon such owner or owners, the said "The Mayor and Council of the Town of Delmar" may procure the materials and do the work ordered, and collect the costs of the same, after thirty days notice by advertisements in some newspaper in the town of Delmar, or by posting in five or more of the most public and conspicuous places in said town, out of the personal property or real estate of the person or persons in default, situated in said town; the sale may be made by any person whom the Council may deputize for that purpose, and if the proper notice has been given, the sale shall be valid, and shall transfer all of the title of the person or persons in default in such property to the purchaser or purchasers, subject to prior liens and encumbrances. The money realized from said sale shall be paid to the Treasurer for the use of the town, but if there be any surplus, after paying the claim for which the sale was made, such surplus shall be paid over to the person or persons owning said property; the person seizing and selling any such property shall be allowed reasonable compensation therefor.

Section 10. The collector and treasurer shall be severally sworn or affirmed to discharge the duties of their respective offices with fidelity; such oath or affirmation to be administered by any person authorized by the laws of this State to administer oaths, or by the Mayor of the town. They shall also before entering upon the duties of their offices, give bond to "The Mayor and Council of the Town of Delmar," with sufficient surety or sureties to be approved by it, in such sum as may be required by the said "The Mayor and Council of the Town of Delmar," conditioned for the faithful discharge of the duties of their said offices, and for the payment to their successors in office of all sums of money belonging to said town which may remain in their hands upon the settlement of their accounts, to which said bond and condition there shall be annexed a warrant of attorney for the confession of judgment for said penalty. The said "The Mayor and Council of the Town of Delmar" may at any time, in its discretion, require such officers to furnish additional bond as aforesaid, as the amount of money which will come into the hands of said officers may increase. And it shall be the duty of the said "The Mayor and Council of the Town of Delmar" to require bond of said offi-

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cers in at least double the amount of money likely to come into his or their hands. The said treasurer shall pay all orders drawn on him by the said "The Mayor and Council of the Town of Delmar," and signed by the Mayor, out of any moneys in his hands belonging to said town. He shall settle his accounts annually on or before the first Monday in April, and shall make settlements at such other times as may be required of him.

Section 11. "The Mayor and Council of the Town of Delmar," at its first meeting after the annual election, or as soon thereafter as *convenience, shall proceed to elect by ballot some suitable person resident in said town to be Aldermon of the town of Delmar, who may or may not be a Justice of the Peace of said town, to serve as such for the term of one year, or until his successor shall be duly elected and qualified, subject to the removal from office at any time by a majority vote of the said "The Mayor and Council of the Town of Delmar." Before entering upon his duties he shall be sworn or affirmed by the Mayor or by anyone of the Councilmen to perform the duties of his office honestly, faithfully and impartially.

Section 12. The said "The Mayor and Council of the Town of Delmar" shall appoint a Town Constable, and it shall be the duty of said Town Constable and of the Alderman to suppress all riotous, turbulent, disorderly and noisy assemblages or gatherings of persons, at any time or anywhere within the corporate limits of the town of Delmar. It shall be the duty of the Constable to seize and arrest any persons so offending, and take them before the Alderman of said town, whose duty it shall be to hear and determine the case, and upon conviction before him, he may fine such persons so convicted a sum not exceeding Ten Dollars, and in default of payment of such fine, may commit such persons to the County Jail for a period not exceeding thirty days. In all such cases the fees of the Alderman and of the Constable shall be One Dollar each, and in any case where the fees of said officers are not specified, they shall receive such fees as may be specified by law in similar cases. All fines imposed and collected by

*So enrolled.

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the Alderman shall be paid into the town treasury, to be used for municipal purposes.

Section 13. All manufacturing industries that may locate in said town, after the adoption of this Charter, shall be exempt from all town tax for a period of ten years.

Section 14. The said "The Mayor and Council of the Town of Delmar" shall have the authority to levy a tax of One Dollar per year on every male dog, and Five Dollars per year on every female dog kept within the corporate limits of the town. Every dog shall be registered by number, and its owner provided with a brass tag, one-inch square, with the number stamped thereon, to be worn around the neck of each dog so registered. The Alderman shall see that such registration is made, and provide the brass tag, the costs of which shall be paid out of the moneys received for registration of such dog. The Alderman shall keep a suitable book for such registration and shall make settlement with the Council whenever called upon to do so. He shall be allowed a compensation of ten per centum of all moneys received by him as such registration fees, to be retained by him out of the moneys so received and shall pay over the remainder to the treasurer of said town. Upon complaint, the Alderman shall have the power to issue a warrant for the arrest of any person violating the provisions of this Section, directed to the Town Constable of said town, or to any Constable of Sussex County whose duty it shall be forthwith to arrest such person and take him or her before said Alderman who shall hear and determine the case, and upon conviction of such person he shall be fined in a sum not exceeding Ten Dollars, and in default of payment of said fine and costs may be committed to the County Jail for a period not exceeding thirty days. The Council shall have the power to pass such ordinances as it may deem necessary to prohibit unregistered dogs from other places running at large within the corporate limits of the town, and to provide proper punishment for violation of said ordinances.

Section 15. The said "The Mayor and Council of the Town of Delmar" shall have full authority to prevent and abate all

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nuisances within the corporate limits of said town; and upon the written complaint of one or more residents of said town of any alleged nuisance therein, it shall take immediate action, under the provisions of this Section. Any person permitting or maintaining a nuisance shall be directed to abate the same, and upon his or her refusal or neglect to abate the same within a reasonable time fixed for that purpose, a warrant shall be issued for his or her arrest, and upon conviction before the Alderman or any Justice of the Peace shall be fined in an amount not to exceed Ten Dollars, and in default of the payment of said fine and costs shall be committed to the County Jail for a period not exceeding thirty days. The said "The Mayor and Council of the Town of Delmar" shall also have authority to compel owners of vacant lots within the corporate limits of said town to keep the same in a slightly and sanitary condition. Upon written complaint of any citizen of said town, the said "The Mayor and Council of the Town of Delmar" shall direct the owner or owners of such lots, in writing, to put said premises in a slightly and sanitary condition, and upon failure of such owner or owners so to do, the said "The Mayor and Council of the Town of Delmar" shall order the work done at the expense of said owner or owners. And upon refusal of such owner or owners to pay the cost of such work, the said property may be advertised and sold, as provided in Section 9 of this Charter, with respect to the laying of pavements.

Section 16. All ordinances, rules and regulations adopted or passed by the said "The Mayor and Council of the Town of Delmar" shall be preserved and recorded at length in a suitable book kept *of that purpose, and all ordinances of a general or permanent nature and those imposing a fine or penalty, shall be published at least twice in some newspaper published in the town of Delmar, or shall be posted in five or more public and conspicuous places in said town. All ordinances, rules and regulations heretofore adopted or passed by the said "The Mayor and Council of the Town of Delmar," whether published in any newspaper or not, shall be valid and binding upon all persons in anywise affected thereby.

*So enrolled.

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Section 17. The said "The Mayor and Council of the Town of Delmar" shall have the power and authority to levy a tax on all telegraph, telephone and electric light poles erected within the corporate limits of said town, at a certain price for each and every such pole, and also to levy a tax upon saloons, restaurants, barber shops, poolrooms, peddlers, teamsters, livery stables, amusement halls or places of public entertainments, and prescribe the time within which such tax or assessment shall be paid, and to adopt such ordinances as may be necessary properly to enforce the provisions of this Section. Provided, however, that nothing in this section shall be construed to render subject to levy and taxation any telegraph or telephone poles that are now expressly exempted from such taxation and assessment by law.

Section 18. The said "The Mayor and Council of the Town of Delmar" shall have the power and authority to grant franchises unto individuals or corporations, to lay pipes under the surface, or to erect poles along the streets, lanes or alleys of said town for the purpose of supplying said town with water, gas or electricity, and to fix, alter, regulate and control the prices and uses of water, gas and electricity so supplied; to sell water to persons or corporations along or adjacent to its pipe lines or conduits within or without the limits of said town of Delmar, and upon such terms and under such restrictions as shall from time to time be provided.

*Section 18. That all previous Acts to incorporate the town of Delmar are hereby made null and void from the date on which this Act become effective and operative, saving and excepting, however, from the effects of such repeal and hereby expressly declaring that all ordinances, rules and regulations heretofore adopted and enacted and now in force in pursuance of any law of this State, shall continue in full force and effect until repealed, altered or amended by the said "The Mayor and Council of the Town of Delmar." That all the acts and doings of the said "The Mayor and Council of the Town of Delmar," or of any officer of said town lawfully done or performed under the provisions of any law of this State, or of any ordinances of the said "The Mayor and Council of the Town of Delmar" are hereby ratified and confirmed. That all the debts, fines, penalties and for-

*So enrolled.

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feitures due to the said "The Mayor and Council of the Town of Delmar," and all debts due from the said "Mayor and Council of the Town of Delmar" to any person or persons whomsoever or to any corporation, are hereby declared to be unaffected and unimpaired by this repeal, all laws of this State for the collection and enforcement thereof shall continue in full force until the same shall be fully paid and discharged. That all powers now conferred by law upon the collector for the collection and enforcement of all taxes in said town heretofore assessed and uncollected, shall continue in full force and effect until all of said taxes shall be fully collected and paid. That the official bonds of the collector and other officials required to give bond, shall be unaffected and unimpaired by this repeal, and they and their sureties therein shall continue liable for any breaches of any of the conditions of said bonds, and that all of the proceedings heretofore commenced for the collection of any penalty, fine, forfeiture or debt to said town, under any law or ordinance, shall in nowise be affected or impaired by this repeal, but the same shall be prosecuted to judgment and execution until fully paid, liquidated and discharged.

Approved March 31, A. D. 1921.

CHAPTER 151

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AN ACT to authorize "The Mayor and Council of the Town of Delmar" to borrow money and to issue bonds to secure the payment thereof for the purpose of providing a sewer system and sewage disposal works for said town, and to control and regulate the same.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all members elected to each branch thereof concurring therein) :

Section 1. That "The Mayor and Council of the Town of Delmar," a municipal corporation of the State of Delaware, be and it is hereby authorized and empowered to borrow on the faith and credit of the said town of Delmar a sum of money not exceeding Fifty-eight Thousand Dollars (\$58,000.00), which shall be applied, appropriated and expended to build, construct, maintain and operate, under such rules and regulations as the said "The Mayor and Council of the Town of Delmar" may deem necessary and proper, a sewer system and sewage disposal works for the use and benefit of said Town of Delmar and its inhabitants.

Section 2. That the said "The Mayor and Council of the Town of Delmar," for the purpose of carrying into effect the provisions of this Act, is hereby authorized and empowered to issue bonds of the municipal corporation, of such denominations as the said "The Mayor and Council of the Town of Delmar" may deem best; said bonds shall be known as Delmar Sewer Bonds, shall bear date the first day of June, A. D. 1921, and shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually on the first days of December and June, of each year at such bank or trust company in the said town of Delmar as said municipal corporation may designate. The principal of said bonds shall be made payable at the expiration of thirty years from the date of the issue thereof, the said "The Mayor and Council of the Town of Delmar" reserving the right and authority to redeem said bonds or any part of them after the expiration of

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ten years from the date of the issue of the same; provided, that if the said "The Mayor and Council of the Town of Delmar," elects to redeem any of said bonds after the expiration of ten years from the date of issue thereof, such election shall be effected on any day on which the semi-annual interest is due, and in pursuance of a notice to that effect published by the said "The Mayor and Council of the Town of Delmar," in at least two issues of at least two newspapers in Sussex County, Delaware, the first of said publications of said notice to be at least thirty days prior to the date such bond or bonds is or are to be redeemed. In calling said bonds for redemption and payment they shall be called consecutively, commencing with the lowest number of the issue; and the interest on said bond or bonds so called in and redeemed shall cease from the date fixed in the said notice for the redemption thereof, and the said bonds when paid shall be cancelled. If at any time after the issue of said bonds and before they are payable or called in and redeemed as herein provided, any holder or holders of any such bond or bonds shall offer the same for redemption, the said "The Mayor and Council of the Town of Delmar," if it deem it expedient so to do, may redeem or pay the bond or bonds so offered, and cancel the same, the interest on said bond or bonds so redeemed and cancelled to cease from the date of such redemption.

Section 3. That the said "The Mayor and Council of the Town of Delmar" shall direct and effect the preparation and printing of the bonds authorized by this Act, and shall also prescribe the form of said bonds, which shall be signed by the Mayor of said town, as President of the said "The Mayor and Council of the Town of Delmar," and countersigned by its Treasurer, and shall be sealed with the corporate seal of said corporation. Said bonds shall be exempt from all State, County and Municipal taxation. Each of said bonds shall contain coupons providing for the payment of the interest thereon as said interest shall become due, and as the said bonds and any of said coupons are paid the same shall be cancelled in such manner as the said "The Mayor and Council of the Town of Delmar" shall direct.

Section 4. That the said "The Mayor and Council of the

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Town of Delmar" shall negotiate the sale and delivery of said bonds and shall apply and use all the money arising from the sale of said bonds for the purpose of carrying into effect the provisions of this Act; provided, however, that in the sale of said bonds the said "The Mayor and Council of the Town of Delmar" is hereby required and directed to advertise for bids for the purchase of said bonds in at least two issues of at least two newspapers published in the State of Delaware, inviting bids for the same in which said advertisements shall be stated the denominations of said bonds, rate of interest and place and date of opening said bids, and the conditions of said bonds. The said "The Mayor and Council of the Town of Delmar" shall have the power to require that each bid for said bonds, or any portion thereof, shall be accompanied by a certified check for such amount as it may deem proper as a guaranty of good faith on the part of the bidder, and after the bonds are sold and awarded the said "The Mayor and Council of the Town of Delmar" shall return to the unsuccessful bidder or bidders the certified check or checks so filed by said unsuccessful bidder or bidders with his or their bids. The said "The Mayor and Council of the Town of Delmar" shall have the right to reject any or all bids for said bonds, but if said bonds are sold they shall be sold to the person or persons, firm or corporation offering the most advantageous terms.

Section 5. That the said "The Mayor and Council of the Town of Delmar" is hereby authorized and required to assess and collect annually in the same manner as is now provided by law for assessing and collecting other taxes for municipal purposes, a special tax sufficient to pay all the interest accruing on said bonds. And it is further hereby authorized and empowered to assess and collect annually in the same manner a further special tax for the purpose of establishing a sinking fund adequate for the redemption at or before maturity, as prescribed in this Act, of the bonds issued under the provisions of this Act; provided, that the amount to be raised for the purpose of establishing said sinking fund for the redemption of said bonds shall not exceed the sum of one thousand dollars, (\$1,000.00) in any one year. The sinking fund so to be provided shall be deposited in any Bank or Banks in the Town of Delmar, whether located in the State of

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Delaware or in the State of Maryland, until such time as it may be needed for the redemption of any or all of said bonds.

Section 6. That the said "The Mayor and Council of the Town of Delmar" is hereby authorized and empowered to do all things necessary for the location, erection, construction, equipment and operation of said sewer system and sewage disposal works and to provide for the care and maintenance of the same, and to purchase all such instruments, appliances and supplies as may be necessary for establishing said sewer system and sewage disposal works in said town, and for furnishing the citizens and inhabitants thereof with proper and adequate sewerage facilities, and to effect the same "The Mayor and Council of the Town of Delmar" shall have the power and authority to lay pipes and conduits under and along any of the streets, lanes, alleys or highways of said town, or any road adjacent thereto, and also to contract and agree with the owner or owners for the occupation or purchase of any land or lands which may be necessary for the purpose of carrying into effect the provisions of this Act. The said "The Mayor and Council of the Town of Delmar" shall have the supervision and control of all public pipes, sewers and drains connected with said sewer system and sewage disposal works, whether within or without the corporate limits of said town of Delmar, and may alter, repair and remove the same and may cause new pipes, drains and sewers to be made and opened. The said "The Mayor and Council of the Town of Delmar" may cause such pipes, sewers, and drains to be laid in any of the said streets, lanes, alleys or highways of the said town in such manner and of such material as it, the said "The Mayor and Council of the Town of Delmar," may deem proper. The said "The Mayor and Council of the Town of Delmar" is hereby authorized to make rules regulating the tapping or use of public sewers by the owners of abutting land, and shall provide for the granting of permits for the same and for the payment of such tapping fees and sewer rental charges as the said "The Mayor and Council of the Town of Delmar" shall deem proper; and it shall prescribe the material of all private drains or sewers which shall enter into any public sewer and shall direct the manner in which they shall be laid, and if it shall be found necessary or expedient for the erection and in-

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stallation of an adequate and proper sewer system in said town of Delmar to extend the same across the line dividing the States of Delaware and Maryland and go into the State of Maryland, the said "The Mayor and Council of the Town of Delmar" is hereby authorized and empowered to enter into any proper agreement with the proper authorities of Wicomico County, Maryland or of the State of Maryland to effectuate the same and is authorized and empowered to use such portion of the money to be derived from the sale of said bonds as herein provided as may be required to pay for the portion of the work which may be necessary to be done in the said State of Maryland.

Section 7. That the said "The Mayor and Council of the Town of Delmar" is authorized and empowered to engage the services of such agents and servants as it may deem necessary in the erection and completion of said sewer system and sewage disposal works as herein provided.

Section 8. That the said "The Mayor and Council of the Town of Delmar" is hereby authorized and empowered to adopt such ordinances as it may deem necessary for the operation, management and control of said sewer system and sewage disposal works, and shall grant to all persons and corporations in the said town of Delmar the privilege of using said sewers in such manner and upon such terms and conditions as may seem just and proper to the said "The Mayor and Council of the Town of Delmar."

Section 9. That none of the provisions of this Act shall go into effect and the said "The Mayor and Council of the Town of Delmar" shall not have authority or power to issue any of the bonds herein provided until a special election has been held in the said town of Delmar by the officers provided for in this Act and a majority of the legal votes cast at said election has been ascertained to be "For the issuing of bonds for municipal sewer system and sewage disposal works." The said "The Mayor and Council of the Town of Delmar" is hereby authorized and empowered to call and provide for such special election whenever it shall deem it expedient so to do, provided that such special election shall not be held within thirty days after the approval of this Act

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by the Governor. If the issuing of said bonds should not be approved by a majority of the votes cast at said special election, the said "The Mayor and Council of the Town of Delmar" is hereby authorized and empowered to call a special election or elections at any time thereafter in like manner and for the said purpose, provided that all the Councilmen or Commissioners of the said "The Mayor and Council of the Town of Delmar" shall vote so to do, and that no two of such elections shall be less than six months apart. Such special election or elections shall be held by the Mayor and two Councilmen or Commissioners of the said town of Delmar, the said two Councilmen or Commissioners to be selected and appointed for that purpose by the said "The Mayor and Council of the Town of Delmar." The said Mayor shall be the presiding officer at any such special election, but if for any cause said Mayor shall not perform the duties as presiding officer at such special election, the said "The Mayor and Council of the Town of Delmar" shall elect and appoint some other qualified voter of the said town of Delmar to be the presiding officer at such special election. Voting at such special election or elections shall be by ballot. Due notice of the time and place of said special election shall be given by "The Mayor and Council of the Town of Delmar" by advertisements posted in at least ten public and conspicuous places in said town of Delmar at least ten days prior to any such special election. Such advertisements shall state clearly the purpose of such special election. At such special election each tax payer of the said town of Delmar, whether resident or non-resident, shall have one vote for every dollar or fractional part of a dollar paid by him, her or it respectively as town tax for the year next preceding said election, and all tax payers shall have the right to vote at such election in person or by proxy duly signed and witnessed; provided, however, that in case of the change of ownership of any real estate within the corporate limits of said town of Delmar between the date of the last assessment for town taxes and the date of holding such special election the owner of such property at the time of the holding of such special election upon producing satisfactory evidence to the election officers of his, her or its present ownership of said property shall be allowed to vote as such owner of such property; and provided further that poll taxables who shall have

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ceased to be residents of the said town of Delmar shall not be entitled to vote at said election. And provided further that every woman twenty-one years of age and upwards, residing within the corporate limits of said town of Delmar at the time of holding any such special election shall be entitled to vote at any such special election whether owning real estate within the corporate limits of said town of Delmar or not. The fact that the name of any woman *reside as aforesaid is not on the assessment list of said town of Delmar shall not preclude her from the right to vote at any such special election.

Section 10. Any persons who shall wilfully vote or attempt to vote illegally at such special election, or any person acting as election officer at such special election who shall wilfully receive, or consent to receiving an illegal vote, or who shall wilfully refuse or consent in refusing to receive a legal vote, or who shall in any way act in a fraudulent or illegal manner at any such special election, shall be guilty of a misdemeanor and upon conviction thereof shall be fined a sum not exceeding Fifty Dollars, or be imprisoned for the term of thirty days, or suffer both fine and imprisonment in the discretion of the Court. Should a voter be challenged on the ground of non-payment of tax, the presiding officer of the election or officer receiving the votes shall cause the person so challenged to swear that he or she has paid all town tax assessed against him or her for the year next preceding the date of such special election; otherwise, his or her vote shall not be received. Should such person wilfully and falsely so swear he or she shall be deemed guilty of false swearing and liable to the penalties provided by law for such offense.

Section 11. That the faith and credit of the said town of Delmar are hereby pledged for the payment of the bonds authorized to be issued under the provisions of this Act and all interest thereon.

Approved March 15, A. D. 1921.

*So enrolled.

CHAPTER 152

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AN ACT to authorize "The Mayor and Council of the Town of Delmar" to borrow One Thousand Dollars for the purpose of improving immediately the drainage facilities of said Town of Delmar.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of the members of each branch concurring therein) :

Section 1. That "The Mayor and Council of the Town of Delmar," be and hereby is authorized and empowered to borrow upon the credit of the town of Delmar, a sum of money not exceeding one thousand dollars, and for that purpose to issue certificates of indebtedness of such denominations or in such amounts, and in such form, and bearing such rate of interest, not exceeding the legal rate in the State of Delaware, as the said "The Mayor and Council of the Town of Delmar" may deem expedient and proper. The interest upon said sum so borrowed may be paid annually or semi-annually, as "The Mayor and Council of the Town of Delmar" may determine. The said certificates of indebtedness, if more than one, shall all bear the same date, and shall be due and payable on or before the expiration of one year from the date thereof.

Section 2. All moneys so borrowed shall be paid over to the Treasurer of the Town of Delmar, to be drawn out and used by "The Mayor and Council of the Town of Delmar" for the purpose of purchasing tiling or piping, the same to be laid wherever in the opinion of the said "The Mayor and Council of the Town of Delmar" the proper drainage of said town will be most advantageously secured; and if there should remain any part of said sum of one thousand dollars, after properly and adequately providing for the drainage of said town of Delmar, said balance shall remain in the Treasury of said town and may be used for general purposes.

CITIES AND TOWNS

Section 3. If the ordinary revenues of said town of Delmar should not provide sufficient funds, in excess of the usual expenses of said town, to pay and discharge said certificates of indebtedness, the said "The Mayor and Council of the Town of Delmar," is hereby authorized and empowered to levy an additional tax upon the persons and property of persons within the limits of the town of Delmar, according to the provisions of the charter of said town of Delmar, so that the additional amount to be raised by taxation as aforesaid shall be sufficient to pay and satisfy such part of the sum represented by said certificates of indebtedness as the same shall be due and payable which cannot be paid out of the usual and ordinary revenues of said town.

Approved March 8, A. D. 1921.

TITLE TEN

Religious, Reformatory and Charitable Institutions

CHAPTER 153

FERRIS INDUSTRIAL SCHOOL

AN ACT appropriating moneys to the Ferris Industrial School of Delaware.

*Be it enacted by the Senate and House of Representatives of
the State of Delaware in General Assembly met:*

Section 1. That the sum of Thirty-one Thousand Dollars be and the same is hereby appropriated for the Ferris Industrial School of Delaware for the maintenance and operation of said school and for the establishment of a fire fighting apparatus and other permanent improvements for said school for the year 1921, and the sum of Twenty-eight Thousand Dollars for the maintenance and operation of said school and for permanent improvements for said school for the year 1922.

Approved April 7, A. D. 1921.

CHAPTER 154

THE DELAWARE INDUSTRIAL SCHOOL FOR GIRLS

AN ACT to appropriate to the Delaware Industrial School for Girls the sum of Six Thousand Dollars for each of the years A. D. 1921 and A. D. 1922.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members elected thereto concurring therein) :

Section 1. That the sum of Six Thousand Dollars (\$6,000) be and the same is hereby appropriated to The Delaware Industrial School for Girls out of any moneys in the hands of the State Treasurer not otherwise appropriated, for the general maintenance and support of the said school during the year A. D. 1921, and a like sum of Six Thousand Dollars be and the same is hereby appropriated to The Delaware Industrial School for Girls out of any moneys in the hands of the State Treasurer not otherwise appropriated, for the general maintenance and support of the said school during the year A. D. 1922, payments by the State Treasurer out of the money so appropriated to be made to said School upon its warrant drawn in accordance with the provisions of Section 20 of Chapter 15 of the Revised Code of the State of Delaware.

Approved April 7, A. D. 1921.

CHAPTER 155

DELAWARE INDUSTRIAL HOME FOR COLORED GIRLS

AN ACT to authorize the acceptance of a conveyance of property of "Delaware Industrial Home for Colored Girls, Incorporated" to the State of Delaware, providing for the regulation and operation thereof and appropriating money for the maintenance of the same.

WHEREAS Delaware Industrial Home for Colored Girls, Incorporated, was incorporated under the General Corporation Laws of the State of Delaware, August 5th, A. D. 1920, the purposes and objects of said corporation being to maintain and provide a home for such colored girls under the age of eighteen years as may be admitted or committed thereto.

AND WHEREAS the said Delaware Industrial Home for Colored Girls, Incorporated, owns a certain piece of property in Christiana Hundred, Delaware, on which said property it has been maintaining, since its incorporation, a reform institution in which it has been receiving incorrigible colored girls from the State of Delaware, some of whom have been committed thereto by the Courts of the State of Delaware.

AND WHEREAS it is considered that the care and maintenance of incorrigible and wayward juveniles is properly a state function and not the function of a private institution, and it is desired by the Delaware Industrial Home for Colored Girls, Incorporated, and it has proposed to convey to the State of Delaware *that the land, buildings, equipment, supplies, moneys, securities and other assets of Delaware Industrial Home for Colored Girls, Incorporated, *provide the State of Delaware will continue and maintain and operate said school in accordance with the purposes for which said corporation was established.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

*So enrolled.

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Section 1. That the proposal of Delaware Industrial Home for Colored Girls, Incorporated be and the same is hereby accepted and the Governor of the State of Delaware is hereby authorized for and on behalf of the State of Delaware to accept and receive from Delaware Industrial Home for Colored Girls, Incorporated, a deed or deeds or other instrument, properly and legally conveying the title to the lands, building, equipment, supplies, moneys, securities and other assets of Delaware Industrial Home for Colored Girls, Incorporated to the State of Delaware. Said property when received by the State of Delaware and all of the income or increments thereof shall be used for the maintenance of a Reform School, in accordance with the purposes for which said Delaware Industrial Home for Colored Girls, Incorporated, was incorporated.

Section 2. All the property and assets received by the State of Delaware from said Delaware Industrial Home for Colored Girls, Incorporated, shall be inventoried by the State Treasurer and an account under the name of "Industrial School for Colored Girls of Delaware" shall be kept by the State Treasurer separate and apart from the general or other accounts of said State, in which account shall be included all of the income, increments or gains arising from said property and the expenditures and disbursements thereof for the purposes herein defined.

Section 3. The said School shall be known by the name of "Industrial School for Colored Girls of Delaware" and the same shall be managed by a Board of Five Trustees who shall be appointed by the Governor; the members so appointed shall be during their terms of office citizens of the State of Delaware and one of them shall be a resident of the City of Wilmington, one a resident of New Castle County, outside of said city; one a resident of Kent County and one a resident of Sussex County, and one from the State at large. The terms of office of those members first appointed shall be for one, two, three, four and five years and the Governor shall designate the term for which each said first appointee shall hold, and thereafter the terms of office of said trustees shall be for the period of five years; any vacancy

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occurring in said Board by reason of death, resignation or otherwise, shall be filled by the Governor for the unexpired term.

Section 4. Said Trustees shall receive no compensation for attendance in performance of their duties at meetings of the Board but shall be reimbursed by the State for all necessary expense incurred therein.

Section 5. As soon as possible after the appointment of the members aforesaid, they shall convene at some suitable place and organize by electing one of their members, chairman. Before entering upon the duties of the office, each member shall take and subscribe an oath or affirmation, as prescribed in Article 14 of the Constitution. Three members shall constitute a quorum.

Section 6. The said Board of Trustees shall have sole and complete control and management of "Industrial School for Colored Girls of Delaware" shall appoint the Superintendent and other officers and all other necessary employees, and shall fix their terms of office as well as their pay or compensation; and shall provide suitable food, clothing, medicine and all things necessary for the comfort and improvement of the inmates of said school. They shall likewise make rules and regulations for the government of said institution not inconsistent with the laws of this State, which they may deem necessary and proper for the public welfare and the best interest of the said institution and its inmates including the release of inmates upon parole.

Section 7. It shall be lawful for the said Board in its discretion, to receive into the said Industrial School for Colored Girls of Delaware, minors, residents of this State, when committed to their custody in the following modes:

First: When committed by the Municipal Court of the City of Wilmington or any Justice of the Peace of New Castle County, on a complaint and due proof made to the said Court or Justice by a parent, guardian or next friend of such minor, that, by reason of incorrigible or vicious conduct, he can not control such minor, and from regard to her morals, and future welfare it is

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requisite that she should be placed in the guardianship of the managers of Industrial School for Colored Girls of Delaware.

Second. When committed by the authorities aforesaid, upon complaint and due proof that such minor is a proper object for the guardianship of the said managers in consequence of vagrancy, or of incorrigible or vicious conduct, and, that from moral depravity, or otherwise, of a parent, guardian or person in whose custody such minor may be, such parent, guardian, or other person having custody of the minor is incapable or unwilling to exercise the proper care and discipline over her.

Third. Females, not over sixteen nor under nine years of age, committed to the custody of the said Board by the Court of General Sessions for New Castle County, the Municipal Court for the City of Wilmington, or any Justice of the Peace in said County, upon conviction of vagrancy, or other criminal offense, before them, or upon the acquittal of such minor, of the Court or magistrate, upon the testimony shall consider her a proper object for the said school. And it shall not be in the discretion of the said Board to reject any such minor committed to its custody on conviction of a criminal offense, excepting the offenses of homicide, and arson; and any such minor against whom a crime, other than murder, or arson, is charged before a Grand Jury, if the charge is supported by sufficient evidence to put her on trial may, on the recommendation of the Grand Jury, and without presenting an indictment, be committed by the Court to the said school. The Board shall have power to place the minors committed to their custody at such employments and cause them to be instructed in such branches of useful knowledge as may be suitable to their years and capacities; and it shall have power, in its discretion, to bind out the said minors, with their consent, as apprentices, during their minority to such persons and at such places, to learn such proper trades and employments as in the judgment of the said Board will be most conducive to the reformation and amendment and will tend to the future benefit and advantage of such minors. And the Court or Justice of the Peace, shall endorse on the writ by which any minor is committed to the custody

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of the said Board the names and residences of the witnesses examined and of any complaint in the case.

Fourth. The Court of General Sessions of the State of Delaware sitting in and for Kent or Sussex County, shall have power to commit to the custody of the said board, any girl between the age of nine and sixteen years, who may be convicted in either of said Counties of any criminal offense. The Associate Judges resident in said Counties, shall also in their respective counties have the power to commit to the custody of said Board, any girls between the age of nine and sixteen years, who are vagrants or incorrigible, or who because of person in whose custody said minors are, are incapable or unwilling or have neglected to exercise the proper care and discipline over them. It shall be the duty of the said Board to receive any girl so committed, unless the offense be that of homicide, or arson.

The County Treasurer of the County from which any girl is so committed shall pay for the maintenance and education of the said girl to the said Board at the rate of forty cents per day for each girl who may be in such custody. The monthly amount to be ascertained in the same manner as that of girls committed from New Castle County. The Levy Court of each County shall provide the money for such payment.

The said Board in its discretion, shall have power to discharge finally any girl in its custody after she shall attain the age of eighteen years; if the board shall determine such discharge to be for the best interest of the girl or of the school.

After such discharge, the Board shall be relieved of all liability for any such girl.

Fifth. Female school truants and female incorrigible pupils may be sentenced to said School as provided in Section 43, of Chapter Seventy-one, Revised Code of Delaware.

All Commitments heretofore made shall in no manner be affected by the transfer to and taking over by the State of Dela-

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ware, of said Institution, but the same shall remain in full force and effect and continue after said transfer shall have been made.

Sixth. The Juvenile Court for the City of Wilmington may commit female minors to said school as provided in Section 21 of Chapter One Hundred and Sixteen, Revised Code of Delaware.

Seventh. Any minor committed to the custody of said Board by the Municipal Court for the City of Wilmington, or any Justice of the Peace, may *be her parent, guardian, or next friend, at any time within ninety days after the date of such committment, upon giving security for costs as hereinafter provided, appeal to the Resident Associate Judge of New Castle County, who shall rehear the case; and for that purpose shall cause said minor to be brought before him and also the witnesses on behalf of the said Board and the said minor, and upon such rehearing, if it shall appear to the Judge that such minor was without sufficient cause committed to the custody of said Board, she shall be discharged, otherwise remanded to its custody or if she had been committed on conviction of a criminal offense, the judge, without remanding her to the custody of said Board, may in his discretion, direct that the penalties prescribed by law for the offense be enforced, and such judgment shall be final.

Such appeal shall not be allowed unless such parent, guardian or next friend shall first give bond to the State of Delaware, in such amount, and with such surety as shall be approved by such judge, conditioned for the payment of the costs of such appeal and rehearing in case such minor shall not be discharged from the custody of said Board.

Section 8. The County Treasurer of the County from which any girl is committed to said School shall pay for the maintenance and education of the said girl to the State Treasurer for the use of said School, at the rate of fifty cents per day for each such girl. The Levy Court or Levy Court Commissioners of each County shall provide the money for such payment. The appropriation shall be payable monthly and shall be based upon the

*So enrolled.

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number of girls in said school upon the first day of each preceding month, as shown by the monthly certificate to be furnished by said Board; provided, however, that if at any time the number of girls in said school in any month from New Castle County, as shown by said certificate, shall not be sufficient to make said appropriation for that month equal to the sum of

Dollars, it being the purpose of this provision that the minimum amount appropriated and paid for the benefit of said school by the said Levy Court of New Castle County for any one month shall be
Dollars.

Section 9. All of the accounts of said school shall be paid by warrant drawn upon the State Treasurer, signed by the Superintendent and countersigned by the Chairman or Acting Chairman of the Board of Trustees and the accounts of the State Treasurer relating to said School shall be audited by the State Auditor.

Section 10. The Board of Trustees shall present to the General Assembly of the State of Delaware, every two years a report for the preceding two years of the number of persons received by it into the School, the disposition made of the inmates, their instruction and employment therein and in binding them out as apprentices, the receipts and expenditures of the Board and shall in said report submit a budget of the estimated expenses necessary to the maintenance and operation of the said school over and above the estimated revenues received from the Levy Courts of the respective counties of this State, or otherwise.

Section 11. All legacies now held and existing and all legacies that may hereafter be given by persons dying after the passage of this Act and the acquisition by the State of Delaware as aforesaid, of the property and rights of said now existing corporation and all appropriations for and gifts, grants and devices heretofore and hereafter to be made, given, granted, devised or bequeathed to Industrial School for Colored Girls of Delaware shall survive and enure to the benefit of and vest in the Board of Trustees of Industrial School for Colored Girls of Delaware, as appointed under the provision of this Act, provided that

*So enrolled.

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any such legacy or devise when received shall be assigned or transferred to the State of Delaware and a deed to the account referred to in Section 2 hereof.

Section 12. The sum of Fifteen Hundred Dollars per annum for a period of two years is hereby appropriated out of the funds of the State of Delaware for the maintenance and operation of said school.

Approved April 7, A. D. 1921.

CHAPTER 156

DELAWARE COMMISSION FOR THE FEEBLE MINDED

AN ACT appropriating Forty-five Thousand Dollars (\$45,000) to Delaware Commission for the feeble-minded for the fiscal years 1921 and 1922.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the sum of Twenty-five Thousand Dollars (\$25,000) is hereby appropriated and authorized to be paid out of the State Treasury of this State to Delaware Commission for the Feeble-Minded for the purpose of paying for furniture, equipment and the general expenses of the said Delaware Commission for the Feeble-Minded for the Fiscal Year 1921, and that the sum of Twenty Thousand Dollars (\$20,000) is hereby appropriated and authorized to be paid out of the Treasury of this State to Delaware Commission for the Feeble-Minded for the purpose of paying the general expenses of the said Delaware Commission for the Feeble-Minded for the Fiscal Year, 1922.

Section 2. That the said moneys shall be paid by the State Treasurer upon warrants drawn upon him, signed by the Chairman of said Commission, and countersigned by the Treasurer thereof. Any warrant drawn on the State Treasurer shall be accompanied by the accounts to which the money is to be applied, and it shall be the duty of the State Auditor to examine and audit any such accounts.

Approved April 7, A. D. 1921.

CHAPTER 157

ST. MICHAEL'S DAY NURSERY

AN ACT to amend Chapter 70 of the Revised Code of the State of Delaware fixing the annual appropriation of St. Michael's Day Nursery and Hospital for Babies.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That Chapter 70 of the Revised Code of the State of Delaware be and the same is hereby amended by the repeal of 2270 Section 79 as amended and the insertion in lieu thereof of the following Section:

"2270. Sec. 79. APPROPRIATION FROM STATE; NO DISTINCTION OF RACE OR RELIGIOUS BELIEF IN ADMISSION TO:—The sum of Five Thousand Dollars is annually appropriated to St. Michael's Day Nursery and Hospital for Babies. The State Treasurer is authorized and directed to pay annually upon the warrant of the Treasurer of said corporation, and in accordance with the provisions of 474 Section 20 of Chapter 15 of said Code, said sum of Five Thousand Dollars out of any moneys or funds of the State of Delaware not theretofore specially appropriated to any other purpose; the said sum so appropriated to be used in furtherance of the objects for which said corporation was organized, and for no other purpose whatsoever, and to be paid so long as the said corporation shall provide and maintain a Day Nursery and Hospital for Babies; provided, however, that children shall be admitted from any part of this State without discrimination as to the nationality or religious belief of their parents or custodians."

Approved April 7, A. D. 1921.

CHAPTER 158

OLD FOLKS' HOME

AN ACT appropriating Five Thousand Dollars to Ever-ready Circle King's Daughters, a corporation of this state, for the maintenance and support of the Old Folks' Home at Dover.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members elected to each House concurring therein) :

Section 1. That the sum of Five Thousand (\$5,000.00) Dollars be and the same is hereby appropriated out of the Treasury of this State to be paid to EVER READY CIRCLE KING'S DAUGHTERS, a corporation of this State, for the maintenance and support of the Old Folks' Home at Dover.

Section 2. That the said sum of Five Thousand (\$5,000.00) Dollars shall be paid to the President of said Corporation by warrant drawn by the Governor upon the State Treasury and the receipt of the President of said Corporation, attested by its Secretary, shall be sufficient voucher therefor; and shall be paid in two installments, the first to be paid on the first day of July, A. D. one thousand nine hundred and twenty-one, and the second on the first day of July, A. D. one thousand nine hundred and twenty-two.

Approved February 23, A. D. 1921.

CHAPTER 159

LAYTON HOME FOR AGED COLORED PEOPLE

AN ACT to appropriate money to the Layton Home for Aged Colored People.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members elected to each House concurring therein) :

Section 1. That there is hereby appropriated to the Layton Home for Aged Colored People, and the State Treasurer is hereby authorized to pay to the said The Layton Home for Aged Colored People, the sum of two thousand dollars out of the Treasury of this State, for the maintenance and support of said Home.

Section 2. That the sum of two thousand dollars shall be paid to the President of said corporation by warrants drawn by the Governor upon the State Treasury, and the receipt of the President of said corporation, attested by its Secretary, shall be sufficient voucher therefor. Provided, that the payment of any money under this Act shall be subject to the rules and regulations prescribed by the Auditor of Accounts.

Section 3. That the said sum of two thousand dollars shall be paid in two equal installments, the first during the year A. D. one thousand nine hundred and twenty-one, and the second during the year A. D. one thousand nine hundred and twenty-two.

Approved April 7, A. D. 1921.

TITLE ELEVEN

Education

CHAPTER 160

FREE SCHOOLS

AN ACT to provide for the establishment and maintenance of a general and efficient system of Free Public Schools.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 71, of the Revised Code of the State of Delaware, entitled "School Laws of the State of Delaware", and all Acts and parts of Acts inconsistent with the provisions of this Act, and which are not continued in force by the provisions of this Act, from and after the first day of July, 1921, be, and the same are hereby repealed, and from and after the first day of July, 1921, this Act shall be in full force and effect.

ARTICLE I

STATE BOARD OF EDUCATION

Section 2. From and after the first day of July, 1921, the general administration and supervision of the free public schools and of the educational interests of the States shall be vested in a State Board of Education, composed of four members, who shall be appointed by the Governor from the citizens of the State for a term of five years, beginning on the first day of July next succeeding their appointment, and they shall hold office until their successors qualify. No more than two members of the Board shall belong to the same political party, and no person shall be

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eligible to appointment who has not been for at least five years preceding his appointment a resident of this State. The members of the Board shall be appointed solely because of their character and fitness, but no person shall be appointed to this Board who is in any way subject to its authority. Vacancies on the Board for any cause shall be filled by the Governor for the unexpired term and until a successor qualifies. Any member of this Board shall be eligible for reappointment unless otherwise disqualified by the provisions of this Act.

Section 3. The offices of the State Board of Education shall be at Dover and shall be provided by the State. The State Board of Education shall hold its annual meeting each year, at its office, on the first day of July. At this meeting the Board shall each year elect one of its members to serve as President, and one to serve as Vice-President. Other regular meetings shall be held on the first day of September, December and March, and such special meetings may be held at such places as the duties and business of the Board may require. No motion or resolution shall be declared adopted without the concurrence of a majority of the whole Board.

Section 4. The members of the State Board of Education shall receive a compensation of Twenty-five Dollars per day for each day's attendance at the meetings of said Board, provided that they shall not receive pay for more than one day's attendance each calendar month, and shall also receive their actual traveling and other necessary expenses incurred in attending the meetings and transacting the business of the Board.

Section 5. **TREASURER:** The State Treasurer shall act as treasurer of the State Board of Education. He shall receive and hold all moneys which the State Board of Education is entitled to by law, and which may come into its possession, and shall deposit all such moneys in the financial institution which is the legal depository of the State moneys in the custody of the State Treasurer. He shall pay out all such moneys under written order of the President, or of the Vice-President, of the State Board of

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Education and of its Secretary, or of its Assistant Secretary if so authorized by the State Board of Education, and shall keep such records and accounts of its funds as the State Board of Education may require.

Section 6. STATE SUPERINTENDENT OF PUBLIC INSTRUCTION:—The State Board of Education shall appoint as its Executive Secretary, a State Superintendent of Public Instruction. He shall be appointed for a term of one year and the said Board shall fix his salary and pay the same from the appropriation for the purpose. He shall be a graduate of a standard college and shall have not less than five years' experience in teaching and administration and shall possess such other qualifications as shall be required by the State Board of Education. The State Superintendent of Public Instruction may be removed by the Board for immorality, misconduct in office, incompetency or wilful neglect of duty, upon making known to him in writing the charges against him, and upon giving him an opportunity of being heard, in person or by counsel, in his own defense, upon not less than ten days' notice. In case of a vacancy, due to death, resignation or removal, the State Board of Education shall fill the vacancy and the appointment shall be for the unexpired term or until a successor shall qualify.

The State Board of Education shall prescribe the duties of the Superintendent of Public Instruction and shall invest him with such powers as they shall deem proper, and such as he shall need in the performance of his duties as Executive Secretary of the State Board of Education and as Superintendent of Public Instruction of the State of Delaware.

Section 7. GENERAL POWERS:—The State Board of Education shall exercise general control and supervision over the public schools of the State; they shall consult with, advise and co-operate with the Boards of Education of Special School Districts, Boards of School Trustees, Superintendents of Schools of Special School Districts, and other officers, principals, teach-

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ers and interested citizens in matters relating to education and to the conduct of schools.

They shall determine the educational policies of the State and shall seek in every way to direct and develop public sentiment in support of public education.

The State Board of Education may appoint for a term not to exceed one year, such professional and clerical assistants as are necessary for carrying out the policies and the rules and regulations of the State Board of Education.

The State Board of Education is empowered to and shall remove, for immorality, misconduct in office, incompetency or wilful neglect of duty, any officer appointed under the provisions of this Act or any special school law, giving him a copy of the charges against him, and an opportunity of being publicly heard, in person or by counsel, in his defense, upon not less than ten days' notice; and whenever vacancies in any of the offices are caused by such removals, or otherwise, the State Board of Education is directed to fill the vacancy for the remainder of the unexpired term of the officer or officers removed.

The State Board of Education shall require from Boards of Education of Special School Districts, Boards of School Trustees, such reports covering expenditures, business methods, accounts, registration, attendance and any other matter they may find necessary and advisable. They shall receive and examine such reports and shall, through their professional assistants, examine the expenditures, business methods and accounts of Boards of Education of Special School Districts and advise them on the same.

The State Board of Education shall decide, without expense to the parties concerned, all controversies and disputes involving the administration of the public school system.

They shall conduct investigations relating to the educa-

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tional needs of the State and the means of improving the educational conditions; and for such investigations may employ additional expert assistants and appoint special agents whenever they deem it advisable.

For the purpose of enforcing the provisions of this Act and the adopted and published by-laws of the Board, the State Board of Education, acting through its President or Vice-President, shall have the authority to administer oaths and to examine under oath, in any part of the State, and to cause the examination to be reduced to writing, and in such cases, any person who, having been sworn or affirmed to tell the truth, wilfully gives false testimony, shall be guilty of false swearing and punished as perjury is punished.

The State Board of Education is hereby empowered and directed to cause the provisions of this Act to be carried into effect, so as to provide a uniform, equal and effective system of public schools throughout the State.

Section 8. RULES AND REGULATIONS:—The State Board of Education shall adopt rules and regulations for the administration of the free public school system which, when prescribed and published, shall be binding throughout the State. The State Board of Education shall prescribe rules and regulations:

1. Governing the hygienic, sanitary and protective construction of school buildings, the selection, arrangement and maintenance of school sites and grounds and the condemnation for school purposes, of public school buildings that do not conform to such rules and regulations.
2. Governing the protection of health, physical welfare and physical inspection of public school children in the State.
3. Governing the grading and standardization of all public schools, including in such standards, equipment, number of teachers, years and grades of instruction offered, and par-

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ticularly establishing the standards for two teacher schools and three teacher schools in the rural districts.

4. Governing the issuance of certificates and diplomas from public schools of the State, and, in co-operation with the President of Delaware College and the Dean of the Women's College of Delaware, the minimum requirements for issuing all academic, normal school, collegiate, professional or university degrees by such institutions as are not authorized by law to determine such requirements.
5. Determining the minimum courses of study for all public elementary schools and all public high schools of the State. Provided that among the rules and regulations adopted, they shall prescribe that all elementary school subjects shall be taught in the English language in all schools in the State.
6. Governing the choice of text books to be used in all public elementary schools and all public high schools of the State, and prescribing an open list of text books from which the Boards of Education of the Special School Districts shall select the text books for their districts, fixing with the respective publishers the price at which their respective text books shall be sold to the schools of the State. Provided that when a text book has been added to this open list, it may not be dropped before four years from the date of its being placed on the list.
7. Governing the qualification and certification of teachers in all the public schools of the State and in co-operation with the President of Delaware College and the Dean of the Women's College of Delaware, providing for the acceptance of the diplomas of the normal schools and colleges and universities of Delaware as well as other states. Provided that in such rules and regulations they shall prescribe that no individual, public or private educational association, corporation or institution shall offer a course or

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courses for the training of public school teachers without having first procured the assent of the State Board of Education to such teacher training course.

8. Fixing, in conjunction with the respective Boards of Education of Special School Districts and the respective Trustees of School Districts, a schedule of salaries for superintendents, teachers, professional and clerical assistants, in the respective special School District or School District.
9. Governing the attendance of teachers now employed and prospective teachers at the summer school at Delaware College, and in co-operation with the President of Delaware College and the Dean of the Women's College of Delaware, determining the conditions by which such teachers and prospective teachers may receive from the state a whole or a part of the expenses incurred by such summer school attendance.
10. Providing for an approved list of high schools of the state and determining the conditions as to buildings, educational equipment and supplies, library, laboratory, courses of study and units of work offered, number and qualifications of teachers employed, enrollment and average daily attendance which must be fulfilled in order that high schools may secure the respective amount of State support provided for in Section 40 of this Act.
11. Determining the conditions as to buildings and grounds, educational equipment and supplies, kinds and grades of schools supported, courses of study and units of work offered, number and qualifications of teachers employed, supervisory and administrative direction and control provided, which must be met and fulfilled in order that school districts may become Special School Districts or may remain Special School Districts.
12. Governing the admission of pupils from the schools of one district to the schools of another district.

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13. Determining the hours of daily public school session, holidays on which the public schools shall be closed, the pay of public school teachers during their absence because of sickness or quarantine, or when the public schools are closed by quarantine.
14. Controlling the necessary absence of pupils enrolled in the public schools and determining the circumstances under which such absence shall be considered necessary, always giving due consideration to the welfare of the children as well as to the needs of the parent or guardian, or persons having control of such children. Provided that no child shall be excused for cause other than illness or physical or mental incapacity that shall reduce the attendance of said child to less than one hundred and twenty days each school year.
15. Providing for the enforcement of school attendance in accordance with the aims and spirit of this law.
16. Providing for the taking of a biennial school census of all children within the State from five to eighteen years of age, inclusive of both years.
17. Requiring a uniform series of blanks for the keeping and reporting of all financial accounts, the annual school budget and all educational records; and providing a series of forms and blanks for the same.
18. Providing for the physical examination of children and for the mental examination of such children as have made no advancement in their studies for three successive years of regular attendance.
19. Governing the apportionment of moneys derived from county taxes, from state school fund, from income taxes and from state appropriations for public education. Provided that in making such rules and regulations, such ap-

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portionment shall be based upon: 1. Total net enrollment; 2. Average daily attendance; 3. Number and qualification of teacher or teachers; 4. Grade and standard of school buildings, school grounds and school equipment.

20. Providing for the training of teachers for rural schools in a standard high school or high schools in each county; establishing standards for teaching force, equipment and studies and determining the location of such teacher training department.
21. Providing, in conjunction with the Board of Trustees of the State College for Colored Students, for the establishment and maintenance of a course or courses of high school studies in said institution for colored students of high school grade.

Provided, that the grading and certification of teachers as now in force shall remain and continue in force until the State Board of Education shall adopt and publish rules and regulations as required by this Section.

Provided, also, that the provisions of the law now in force regulating the salaries of teachers shall continue in force until the end of the current school year.

Provided, further, that officers of the State Board of Education now in office, shall continue in office until the first day of July, 1921.

Section 9. STATE SCHOOL BUDGETS:—On or before the first day of March, the State Board of Education shall transmit biennially to the Governor and to the General Assembly, a State School Budget including the amounts required for:

1. The support of the State Board of Education, its office and its officers;

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2. The payment of teachers' expenses for summer school attendance;
3. The training of teachers for rural schools in standard high schools;
4. The encouragement of consolidation of schools by state appropriations for new buildings and grounds;
5. Meeting the provisions of the Smith-Hughes Vocational Education Act, and such other educational acts as may be passed by Congress;
6. The general appropriation for teachers' salaries and text books;
7. The maintenance and support of approved state high schools;
8. The maintenance and support of elementary schools;
9. Debt Service, for the liquidation of the bonded and other debts of the school districts of the State;
10. The maintenance of the State School Tax Department.

This biennial State School Budget shall be reported on standard forms adopted by the State Board of Education and shall give the sums required for each general item of such budget and for each detail under such general item. The State Board of Education shall transmit to the Governor and to the General Assembly as part of the biennial State School Budget, copies of the biennial budget of the State School Tax Department and copies of the annual budgets of the various Special School Districts, including Wilmington, and of the various School Districts with a summary showing the total funds estimated necessary for the conduct of the public schools for two years,

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with recommendation as to the amount to be appropriated by the Legislature.

Section 10. ANNUAL REPORTS:—The State Board of Education shall submit to the Governor each year on or before the first day of January, an annual report, covering all operations of the State Board of Education and support, condition, progress and needs of education throughout the State for the preceding school year. Such annual report shall be printed in sufficient quantities for general distribution.

The annual report of the State Board of Education for the school year next preceding the meeting of the General Assembly shall include recommendations for additional legislation and for changes in existing legislation, such recommendations to be accompanied by prepared bills to be laid before the Governor and the General Assembly.

ARTICLE II

DISTRICTS

Section 11. Special School Districts, as now existing, and School Attendance Districts, as now existing, are hereby recognized and constituted as the Educational Districts of the State and shall so continue except when changed or consolidated in the manner provided in this Act. The present School Attendance Districts shall hereafter be known as School Districts. In each School District of the State there shall be a Board of School Trustees composed of three members elected from the residents of the several School Districts, by the qualified voters of that district at the annual school election, which shall be held on the third Saturday of June, between the hours of two and five o'clock in the afternoon. They shall serve for a term of three years, from the first day of July next succeeding their election, and they shall hold office until their successors qualify. Provided, however, that when this Act goes into effect the persons who are at that time members of the Boards of School Trustees shall con-

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tinue to serve for the terms for which they were originally elected and until their respective successors qualify.

At each annual school election a member of the Board of School Trustees shall be elected to succeed a member whose term then expires. Nominations shall not be required to be made in advance of such election. The election shall be by ballot, which may be either printed or written. The officers in charge of such election who may be the trustees, or persons designated by them, shall certify the results of said election to the State Board of Education on or before the Thursday following the election.

Vacancies on the Boards, for any cause, shall be filled by the remaining members of the Board for the unexpired term and until a successor qualifies. If, for any reason, it should be found impossible to provide any School District with a Board of School Trustees, the duties of the Board for the particular School District shall devolve upon the State Board of Education.

Section 12. The Office of the Board of School Trustees shall be the schoolhouse of the respective School District. The Board of School Trustees shall meet on the first Saturday in the month of July following the election, and shall elect one of its members to serve as Chairman and shall elect a Clerk who may be the principal or teacher of the school, and shall give notice of such election to the State Board of Education. Other regular meetings of the Board shall be held once each month during the school term and such special meetings may be held as are necessary. No motion or resolution shall be declared adopted without the consent of a majority of the whole Board.

The Clerk of the Board of School Trustees shall keep a record of all the transactions of the Board, shall preserve the minutes of the meetings of the Board, and shall prepare for adoption all reports of the Board, and shall keep a complete file of all reports of the teacher or principal, both those made to the Board of School Trustees and those sent to the State Board of

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Education, including a copy of the annual report required from every teacher by the State Board of Education.

The principal or the teacher shall attend all meetings of the Board, except when the principal or teacher is under consideration; shall have the right to speak upon all questions, but shall have no right to vote; shall present written monthly reports of the conditions and activities of the school, and file with the Board of School Trustees a copy of the monthly report sent to the State Board of Education. Any teacher of the school shall have the right to appear before the Board and shall be heard upon any question, but no teacher shall be entitled to be present when the said teacher is under consideration.

Section 13. The Board of School Trustees of each School District shall provide for the care of the buildings, grounds, apparatus and other school property, and shall maintain the same in accordance with the standards adopted by the State Board of Education. They shall make all repairs, purchase all necessary furniture and provide for adequate heating and for proper ventilation of the buildings. They shall present to the State Board of Education a monthly statement of expenditures. Such expenditures, when approved by the State Board of Education, shall be paid by the State Treasurer on order of said Board of School Trustees, signed by the Chairman and Clerk of said Board. Provided that in no case shall such expenditures exceed in any one year the amount provided for in accordance with the official budget of such School District, jointly adopted by the Board of School Trustees and the State Board of Education and filed with the State Board of Education. The Board of School Trustees shall requisition from the State Board of Education, subject to the approval of said Board, such text books, supplementary readers, maps, globes and charts, materials of instruction, stationery and school supplies, educational equipment, apparatus and other supplies as may be necessary for the conduct of their respective schools. At the end of each school year they shall report to the State Board of Education the num-

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ber and condition of all books and supplies on hand on forms supplied for that purpose.

Section 14. BUDGET:—The Board of School Trustees, at their regular monthly meeting on the first Friday of January, shall prepare and adopt and present to the State Board of Education, on forms prepared by the State Board of Education, an annual School Budget showing the items of proposed expenditure for the next school year. When such budget is approved and adopted by the State Board of Education, the adopted budget shall become and be the official School Budget for that School District for the school year named therein.

The said budget shall show the amount needed: 1. For salaries of teacher or teachers; 2. For expenses other than salaries of teachers, including furniture, repairs, fuel, salaries of janitor or janitors and other employees; and shall show the estimated unit cost per pupil, 1. for teachers' salaries; 2. for expenses other than teachers' salaries, the unit cost to be obtained by dividing the amount for teachers' salaries and for expenses other than teachers' salaries by the total enrollment for that year. The said School Budget shall also show the estimated number and amount of text books, materials of instruction and other supplies, that may be needed and the amount or amounts needed for such other items as may be required to be shown by the State Board of Education, with recommendations for a Building Program for such district and any proposal of consolidation of any School District with another School District and its recommendations for the Building Program for such consolidated district.

Section 15. On or before the fifteenth day of August of any year the Board of School Trustees shall engage a principal, teacher or teachers as may be necessary for the next school year and shall make contracts with such principal or teachers on forms to be provided by the State Board of Education. Such contracts shall be made in triplicate; one copy to be filed with the State Board of Education, one to be delivered to the principal or teach-

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er and the other to be kept by the Board of School Trustees. Such principal or teacher so engaged must have the standard of qualification adopted by the State Board of Education and the salary of such principal or teacher shall be such as is fixed by the schedule jointly adopted by the State Board of Education and the Board of School Trustees, and shall be paid monthly, within ten days after the expiration of the school month, by the State Treasurer on order of the Board of School Trustees, signed by the Chairman and Clerk of the Board. Provided that no salaries shall be paid until all reports required by the State Board of Education shall be presented and accepted.

The Board of School Trustees shall have the power to engage teachers and enter into contracts therewith to fill vacancies that may occur during the year. They may also suspend or dismiss any teacher or principal for immorality, misconduct in office, incompetency or wilful neglect of duty. Provided that the charges be stated in writing and that the principal or teacher be given an opportunity to be heard by the Board upon not less than ten days' notice. Provided, further, that in all cases the right of appeal shall lie to the State Board of Education.

Section 16. The Board of School Trustees shall visit the school or schools of its respective School District once each month of the school term; shall seek in every way to develop public sentiment in support of the school and take definite steps toward making the school a real centre for the community's civic and educational activities.

Section 17. When the citizens of any community are organized into a non-partisan, non-sectarian, non-exclusive association for the presentation and discussion of public questions, which organizations, upon request in writing to the Board of School Trustees of any School District shall have the free use of the School House for weekly, bi-weekly or monthly gatherings, or at such times as the citizens' organizations shall request or designate; provided that said meetings shall be held during those

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hours when the school building is not being used for its principal purpose.

The Board of School Trustees shall allow, on written request, the free use of the school house or school houses under their jurisdiction for farmers' meetings, Grange meetings, public speakings, lectures, entertainments, church festivals, Red Cross meetings, Y. M. C. A. meetings, political meetings, or for any other purposes which are for the civic welfare. Provided that the person or persons making application for the use of a school house for a public meeting shall be responsible for all damage to the property occurring at such meeting, ordinary wear and tear excluded, and upon failure of the person or persons to respond in damages for any such injury to the property, the Board in charge of the school house may refuse all future applications until such injury is repaired without expense to the Board in charge of the property.

ARTICLE III

SPECIAL SCHOOL DISTRICTS

Section 18. Existing Special School Districts shall continue as such so long as they continue to fulfill the conditions prescribed by the State Board of Education for Special School Districts.

Section 19. The general administration and supervision of the free public schools and educational interests of each Special School District shall be vested in a Board of Education. They shall be elected from the residents of the given Special School District by all qualified voters thereof, for terms of three years beginning with the first day of July next succeeding their election, and shall hold office until their respective successors qualify.

The school election in each Special School District shall be held on the third Saturday of June in each year, between the hours of two and five o'clock in the afternoon at the principal school house in the respective school districts, and shall be con-

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ducted by members of the Board of Education of each Special School District. The President of the Board of Education shall preside at the election and the other two members of the Board shall be the judges of the election. Provided, that if, for any reason, one or more members of the Board of Education should be unable to serve as election officers, the said Board of Education shall designate another person, or persons, to act in such capacity. And provided further, that should the Board of Education of any Special School District fail or neglect to provide election officers at such election, the voters present shall designate and appoint election officers to conduct the election in such Special School District.

The school election in Special School Districts shall be by ballot, and the names of the candidates for election to the Board of Education shall be entered on the ballot alphabetically and without party designation. Nominations shall be made by petition containing the written names of not less than twenty-five qualified voters of the respective Special School District and such petition shall be filed with the Clerk of the Peace not later than fifteen days prior to the time of the school election. The ballots and other needed election supplies shall be provided by the Clerk of the Peace and paid for by the Levy Court.

No voter shall be permitted to vote for a greater number of candidates than are to be elected, under the law, at said election. If any person, not duly qualified to vote, shall offer to vote at a Special School District election, such person shall be guilty of a misdemeanor and shall be punished by a fine or imprisonment, or both, in the discretion of the Court. The election officers conducting the election shall publicly count the votes and shall certify the result of such election under their hands and seals to the State Board of Education. No person shall be appointed or elected to this Board under the provisions of this Section who is in any way subject to the authority of the Board.

Vacancies in this Board for any cause shall be filled by the remaining members of the Board, such appointee serving until

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the next school election and until their respective successors qualify. At the next school election succeeding such appointment or appointments, the vacancy or vacancies shall be filled for the remainder of the respective unexpired term or terms. When this Act goes into effect the persons who are at that time members of the respective Boards of Education shall continue to act for the term for which they were elected and until their successors qualify.

Whenever a new Special School District shall be created and erected the State Board of Education shall at once appoint three suitable persons, possessing the necessary qualifications to be members of the Board of Education of such Special School District who shall take office immediately and serve under the provisions of this Act until the first day of July following the next school election, and until their respective successors qualify. At the next school election after such appointment there shall be elected to the Board of Education of such Special School District three members; one to serve for one year, one to serve for two years and one to serve for three years, from the first day of July following such election, and until their respective successors qualify. If two or three candidates shall receive the same number of votes for the same office the State Board of Education shall determine by lot which of said candidates shall be declared elected. Thereafter one member shall be elected at each school election for the full term of three years.

Section 20. The office of the Board of Education of the Special School District shall be in the principal school building of the respective Special School District unless otherwise adequately provided for. The Board of Education shall hold its annual meeting each year at its office on the first day of July and at said meeting the Board shall each year elect one of its members to serve as President and one to serve as Vice-President. Other regular meetings shall be held on the second Friday of each month during the school term and such special meetings may be held as the duties and the business of the Board of Education may require. The members of the Board of Education

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shall receive no compensation for their services. No motion or resolution shall be declared adopted without the concurrence of a majority of the whole Board.

Section 21. All property, estate, effects, money, funds, claims and state donations heretofore vested by law in the public school authorities of any special School District, for the benefit of the free public schools of such district, are hereby placed under and subject to the control and management of the Board of Education of such Special School District. Real and personal estate granted, conveyed, devised or bequeathed, or which may hereafter be granted, conveyed, devised or bequeathed, for the use of any Special School District, shall be held in trust by the Board of Education for the benefit of the free public schools of the respective Special School District and such grants, bequests or money invested in trust for the use of any Special School District, shall be exempt from all state, county and local taxes.

Section 22. The Board of Education of each Special School District shall decide, without expense to the parties concerned, all controversies and disputes involving the rules and regulations of the Board of Education of the Special School District and the proper administration of the public schools of the district, and their decision shall be final except that an appeal may be had to the State Board of Education if taken in writing within thirty days.

The Board of Education shall have authority to administer oaths, and to examine persons under oath, in any part of the district. Witnesses in any manner pertaining to the public schools of the district, who, having been sworn or affirmed by them to tell the truth, wilfully give false testimony, shall be guilty of false swearing and shall be punished accordingly.

Section 23. RULES AND REGULATIONS:—The Boards of Education of the Special School Districts subject to the provisions of this Act and in accordance with the rules and regulations of the State Board of Education:

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1. Shall determine the educational policies of the district and shall prescribe rules and regulations for the conduct and the management of the schools, shall enforce the provisions of this Chapter relating to School Attendance and shall maintain separate schools for white and for colored children.
2. Shall grade and standardize all the schools under its jurisdiction and may establish kindergartens and play grounds and such other types of schools, subject to approval of the State Board of Education, as in its judgment will promote the educational interests of the Special School District.
3. Shall adopt courses of study for these schools and a printed copy of these courses of study shall be supplied to every teacher and to every interested citizen of the Special School District.
4. Shall select, adopt, purchase and distribute free of charge, such text books, supplementary readers, maps, globes and charts, materials of instruction, stationery and school supplies, school furniture, educational equipment, apparatus and supplies as are necessary to the work of the schools. Provided that text books so selected and adopted shall not be changed more often than once in three years.
5. Shall provide forms and blanks on which the Boards of Education of the Special School Districts, officers, principals, teachers, janitors and other regular employees shall make such reports as may be required from them by the Special School District Board of Education.
6. Shall make all reports required by the State Board of Education, at such time, upon such items, and in such form and on such blanks as may be prescribed by the State Board of Education.

Section 24. SCHOOL YEAR:—The school year in all Special School Districts shall begin July first and shall end on June thir-

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tieth of the succeeding year. The school term shall begin on the first Tuesday after the first Monday in September unless otherwise provided by the Board of Education of the Special School District, and shall be in session not less than one hundred and sixty days.

Section 25. SPECIAL SCHOOL DISTRICT BUDGET:—Each year, on, or before, the first day of February or at other time designated by the State Board of Education, the Board of Education of the Special School District shall prepare and submit to the State Board of Education, subject to the rules and regulations of the State Board of Education, an itemized and detailed annual school budget which shall show:

1. The estimated amount to be received from the Levy Court of the County.
2. Estimated Debt Service, for the payment of the principal and interest of all of the bonded and other debts of the Special School District.
3. Amount needed for permanent improvements and repairs.
4. Amount needed for current maintenance and operation.
5. State support for elementary schools, which amount shall be used for paying elementary teachers' salaries and purchasing free text books, materials of instruction and school supplies.
6. State aid for high schools, which amount shall be used for paying high school teachers' salaries and purchasing free text books, materials of instruction and school supplies.
7. State aid to meet the provisions of the Smith-Hughes Vocational Education Act.
8. Unit cost per pupil of the elementary schools of the Special

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School District and the unit cost per pupil of the high schools of the Special School District.

The annual school budget shall also show such other items and such totals as may be required by the State Board of Education.

Section 26. ANNUAL REPORT:—The Board of Education shall cause to be prepared and published annually before the school election, in sufficient quantities for distribution among the citizens of the district, an annual report addressed to the people of the district, covering the conditions, current accomplishments and needs for the improvement of the schools, also a statement of the business and financial transactions of the Board.

Section 27. SUPERINTENDENT OF SCHOOLS AND TEACHERS:—The Board of Education of each Special School District shall appoint as its Executive Officer, for the school year, a Superintendent of Schools who shall also be Secretary of the said Board of Education. No person shall be appointed such Superintendent who does not possess the following qualifications: Shall have graduated from a standard college; shall have had at least two years' successful experience in administration and teaching; and such other qualifications as the State Board of Education shall prescribe. Provided that the State Board of Education may accept in lieu of graduation from a standard college an equivalent in professional experience in administration and supervision.

As Secretary he shall conduct all correspondence of the Board, keep and preserve all records, receive all reports required by the Board and see that such reports are in proper form and complete and accurate. He shall attend all meetings of the Board and of its committees except when the tenure, the salary or the administration of his office are under discussion, and shall have the right to advise on any question under consideration, but shall have no vote.

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The Board of Education shall also appoint and make contracts with such teachers, officers and employees as are necessary, on forms provided by the State Board of Education, and shall fix their salaries, subject to the salary schedule jointly adopted by the State Board of Education and the Boards of Education of the Special School Districts. It may suspend or dismiss any superintendent, teacher, officer or employee so appointed for immorality, misconduct in office, incompetency, or wilful neglect of duty. Provided that the charges be stated in writing and the superintendent or other officer or employee be given an opportunity of being heard by the Board upon not less than ten days' notice. Provided further, that in all cases the right of appeal shall lie to the State Board of Education.

In case of vacancy due to any cause, the Board of Education shall fill the vacancy, and the appointment shall be for the unexpired term and until a successor shall qualify.

Section 28. The Superintendent of Schools shall, when required by the State Board of Education, conduct examinations for teachers' certificates within his Special School District, and shall direct the taking of the Biennial School Census as required under the rules and regulations of the State Board of Education.

Section 29. The Superintendent of Schools, acting under the rules and regulations of the Board of Education, shall be responsible for the administration and supervision of the free public schools of that district; he shall visit the schools, observe the management and instruction, and give suggestion for the improvement of the same; he shall organize and conduct institutes and conferences and such other educational activities as will foster professional insight and efficiency in teachers and develop public interest in education.

Section 30. **TREASURER:**—The County Treasurer shall serve as Treasurer of each Special School District in that county. He shall receive and hold all moneys which the respective Board of Education is entitled to by law and which may come into its

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possession, and shall deposit all such moneys in the financial institution which is the legal depository of state moneys in the custody of the State Treasurer.

He shall pay out all such moneys on the written order of the respective Board of Education signed by its President, or Vice President, and its Secretary, and shall keep such records and accounts of its funds as shall be required by the Board of Education of the Special School District or the State Board of Education, and shall furnish to the Board of Education, on demand, such information as it may require.

He shall give such additional bond in this behalf as may be required by the State Board of Education and shall serve without further compensation than is provided by law; the cost of which bond shall be defrayed by the said State Board of Education.

Section 31. WILMINGTON:—The public schools of the City of Wilmington, comprising the present school districts may accept at any time the provisions of this Act by resolution adopted by a majority vote of its Board of Education and by filing a written copy of such resolution certified by the Secretary of the Board, with the Secretary of the State Board of Education and by filing a duplicate with the Trustee of the School Fund, but shall continue to conduct and operate its schools according to the provisions of any special or other laws, now applicable thereto.

In order that Wilmington may receive her apportionment of school moneys for school purposes, the Board of Education of the public schools in Wilmington shall prepare and submit to the State Board of Education an itemized and detailed annual school budget as required by Section 25 of this Act.

Section 32. The State Board of Education is empowered and authorized to change, alter, fix, and determine all boundaries of any Special School District, provided that the assent of the

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majority of the qualified voters in the territory to be added to or taken from such Special School District shall be first obtained in writing or the State Board of Education shall cause the question of the change of boundary to be submitted to the qualified voters of such territory at a special election, called for that purpose, after two weeks' notice of such election posted on the school house of said district. The special election shall be conducted in a fair and impartial manner and by such persons as the State Board of Education shall appoint. A majority vote shall determine the question. Provided, further, the boundaries of the school district of Wilmington shall at all times be the same as the boundaries of the City of Wilmington.

In case a Special School District expresses, through a petition of the Board of Education of said district or through a petition signed by twenty-five voters of said district, a desire to cease to be a Special School District, the question shall be submitted to the qualified voters of that district at the general school election in that district and a majority vote of those voting shall determine the question. If the vote be to dissolve said district, the said district shall be divided into such school districts as existed at the time the said Special School District was formed, which school districts, like other school districts, shall be subject to the immediate authority and jurisdiction of the State Board of Education.

When any Special School District ceases to be a Special School District, all property, belonging to such district and all assets of said district shall pass to the State Board of Education, and be held in its name. The Board of Education of the Special School District shall make and execute such deed or deeds of conveyance as are necessary to pass to the State Board of Education the legal title of such property. All liabilities of such Special School District shall, after proper audit by the Auditor of Accounts, be assumed by the State Board of Education.

When a new Special School District has been created by the State Board of Education the State Board of Education shall con-

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vey all property that naturally belongs to such new Special School District, as determined by the State Board of Education, and shall make and execute such deed or deeds of conveyance as are necessary to pass to the Board of Education of such Special School District the legal title to all such property. The Board of Education of such Special School District shall also assume the existing debts of the School District of which it is comprised.

Section 33. All property, estate, effects, money, funds, claims and state donations heretofore vested by law in the public school authorities of any county, other than the authorities of any Special School District, for the benefit of the public schools of said county, are hereby placed under and subject to the control and management of the State Board of Education for the use of such County, other than special School Districts, real and personal estate granted, conveyed, devised or bequeathed or which may hereafter be granted, conveyed, devised or bequeathed for the use of the free public schools of any county shall be held in trust by the State Board of Education for the benefit of the schools of such county, and such grants, bequests or money in trust for the use of free public schools of any county of the State or any part thereof shall be exempt from all state, county and local taxes.

Section 34. The State Board of Education is authorized, empowered, directed and required to maintain a uniform, equal and effective system of public schools throughout the State, and shall cause the provisions of this Chapter, the by-laws or rules and regulations and the policies of the State Board of Education to be carried into effect. The schools provided shall be of two kinds: Those for white children and those for colored children. The schools for white children shall be free for all white children between the ages of six and twenty-one years, inclusive; and the schools for colored children shall be free to all colored children between the ages of six and twenty-one years inclusive. The schools for white children shall be numbered and the schools for colored children shall be numbered as numbered prior to the year 1919. The State Board of Education may establish schools for children of people called Moors, which schools shall be free to all

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such children between the ages of six and twenty-one years, inclusive. No white or colored child shall be permitted to attend such a school without the permission of the Board of Trustees of said school and of the State Board of Education. The public schools of the State shall include elementary schools which may be: One-teacher ungraded schools; one-teacher graded schools, grades one to six inclusive; standard two-teacher schools, grades one to eight inclusive; standard three-teacher schools, grades one to nine, inclusive; and such other standard schools as the State Board of Education may establish. Provided, that a one-teacher ungraded school, for pupils under the ninth grade, shall be provided when required by the Board of School Trustees in any School District. The Public Schools of the School Districts shall also include such standard high schools as the State Board of Education shall establish, under the rules and regulations of the State Board of Education. The State Board of Education may establish kindergartens and playgrounds and such other types of schools, as in its judgment will promote the educational interests of the State. The school year in all School Districts shall begin July first and shall end on June thirtieth of the succeeding year, and the school year in Special School Districts shall be as now provided, or as hereafter may be provided by the Board of Education of a Special School District. The school term shall begin on the first Tuesday after the first Monday in September unless otherwise provided by the State Board of Education, and shall be in session not less than one hundred and sixty days. Provided, however, that the Board of School Trustees of any School District shall have power, if in its judgment such step be expedient, to change the school terms in such School District; provided, however, that the schools in said School District shall be in session the minimum number of days throughout the year specified by this Act.

Section 35. Before making changes in the boundaries of existing School Districts and in the location of public schools, in use at the time of the enactment of this Act, the State Board of Education shall consult with the Board of School Trustees of the School Districts affected and shall publish at the school or schools of said district or districts for two weeks the proposed

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change. They shall then proceed to submit, by referendum, the question of rearrangement to the voters of the district or districts thus affected. Said referendum vote shall be conducted by the Board of School Trustees in each of the respective districts. At said election any person shall be entitled to vote who would be entitled to vote at regular school elections of School Districts if held at that time. The question shall be determined by a majority of the total vote cast in all said districts and the result shall be immediately certified to the State Board of Education.

Section 36. The State Board of Education, may, upon application of the majority of the voters in each School District concerned, consolidate two or more elementary schools. They may, when in the Board's judgment it is practicable and desirable, consolidate two or more elementary schools provided that before doing so they post notice of the proposed change four weeks prior thereto on the front door of the school house or school houses of the district or districts concerned. At the expiration of which time the question of consolidation shall be submitted, by referendum, to the voters of the district or districts affected. Said referendum vote shall be held within ten days of the expiration of such notice and shall be conducted by the Board of School Trustees in said districts. At said meetings any person shall be entitled to vote who would be entitled to vote at a regular school election of said School Districts if held at that time. The question shall be determined by a majority vote in each district affected and the result shall be immediately certified to the State Board of Education.

When consolidation has been effected, the State Board of Education shall select from the Boards of School Trustees in the districts so consolidated, three members of a new Board who shall be the Board of School Trustees for the district. They shall hold office until the next school election, when the qualified voters of the newly created district shall elect from the residents of the district, three members; one to serve for one year; one to serve for two years and one to serve for three years. Their successors shall be elected for the term of three years.

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Section 37. The State Board of Education shall not be required to maintain any single one-room school which during the three preceding school years has had an average daily attendance of less than twelve pupils. But when such a school is closed, the district shall be consolidated with an adjoining district or districts by the State Board of Education.

Section 38. It shall be the duty of the State Board of Education to furnish all books and supplies to School Districts throughout the State, as directed by this Act, in addition to do all of the things necessary for the carrying into effect the full spirit of this Act in all the School Districts of the State; it shall also be the duty of the said State Board of Education to furnish to Special School Districts and to High Schools throughout the State all books and supplies to which they may be entitled under the provisions of this Act and to do and assist in every way to bring about the full requirements of this Act throughout the State.

Section 39. When this Act goes into effect, all school property of every kind within present existing School Attendance Districts shall pass to the control of the Board of Trustees of School Districts recognized by this Act; all property of every kind which, at the time this Act shall go into effect, shall be in the control, name or possession of the County School Boards now existing, shall thereupon be transferred from the said present existing County School Boards to the State Board of Education created by this Act, and thereafter all said property of every kind shall remain in the name, possession and control of the State Board of Education. Provided, however, as hereinbefore directed, that any money or property which has heretofore been given by any individual or private corporation, or bequeathed or devised for the free schools of any particular county, shall be held by the State Board of Education for the use of the Schools of such particular county.

ARTICLE IV

HIGH SCHOOLS

Section 40. The professional supervision of high schools

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in Delaware is vested in the State Board of Education which is hereby empowered, directed and required to grade and standardize all high schools and all high school departments and courses.

The State Board of Education shall adopt and publish standard courses of study which, when adopted and published, shall be the standard courses of study for high schools in Delaware. They shall also prescribe minimum requirements for laboratories in all scientific and vocational subjects and for supplementary reading and reference books for all academic and other subjects.

For the proper guidance and development of the high schools of the State, the State Board of Education shall adopt standard curricula for such types of high schools as may be required in Delaware. Provided, that the division of high schools into First Group High Schools and Second Group High Schools as applied in the State at the time of approval of this Act, shall continue in effect for the rest of the current school year.

The State Board of Education shall make an annual inspection of all high schools; shall file the result of such inspection with the Board of Education in control of the respective high schools as well as with the State Board of Education; shall approve a high school when it conforms in all particulars to the standards and requirements adopted and shall disapprove a high school when it fails to meet such standards and requirements. The State Board of Education may partially approve a high school that does not fully meet the requirements if it is convinced that the high school can meet the standards and requirements within a year.

All approved high schools shall have at least four standard unit courses for each year of the high school course. All four-year high schools shall have a supplementary reading and reference library of at least two hundred and fifty volumes and must be provided with equipment equivalent in value to the

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following amounts, whenever such high school department is required: Biology, five hundred dollars; Physics, six hundred dollars; Chemistry, six hundred dollars; Manual Training, twelve hundred dollars; Domestic Science, twelve hundred dollars; Agriculture, five hundred dollars. Whenever the State Board of Education fails to fully approve a high school it shall notify the Board of Education in charge of such high school of the reason for their non-approval of any departments or courses of study.

In apportioning funds for the support of high schools the State Board of Education shall base such apportionment upon the number of pupils enrolled in the high school but shall not apportion State funds to high schools that are not approved. Provided, that partially approved high schools shall be entitled to such apportionment for one year, during which time they shall qualify as approved high schools in order to receive further apportionment. Provided, further, that no high school shall receive more than one hundred dollars for each pupil enrolled.

For the more convenient administration of high school attendance in the State and for the convenience and accommodation of high school pupils of any section the State Board of Education is hereby empowered and directed, whenever and wherever they deem advisable to divide the State, or any section thereof, into high school attendance districts and to prescribe rules and regulations governing the attendance therein.

ARTICLE V

SCHOOL ATTENDANCE

Section 41. All the white public schools of the State shall be free to all the white children of school age, resident in the State; and all the colored public schools of the State shall be free to all the colored children of school age, resident in the State.

Every parent, guardian or other person in this state having

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control of a child between the ages of seven and fourteen is required to and shall send such child to a free public school each day of the minimum school year of one hundred and sixty days; every such parent, guardian or other person having control of a child fourteen years of age or fifteen years of age, or sixteen years of age, who has not completed the work of the eighth grade of the free public schools of the School District or Special School District in which the child resides, is required to and shall send such child to a free public school in such District not less than one hundred days, as nearly consecutive as possible, beginning not later than November first of the school year; unless it can be shown, and witnessed by written endorsement, to the satisfaction of the Superintendent of Schools of a Special School District, or in the case of School Districts, to the satisfaction of an official designated by the State Board of Education, and by a written examination, that such child is elsewhere receiving regular and thorough instruction during said minimum school year as above provided in the subjects prescribed for the elementary schools of the State, in a manner suitable to children of the same age and stage of advancement. Provided that the written certificate of a principal, teacher or Board of Trustees, or other person or persons in charge of a private school shall be satisfactory evidence to the Superintendent of a Special School District, and in the case of School Districts, shall be satisfactory evidence to the said official designated by the State Board of Education that such child is receiving regular and thorough instruction required under this Section. Provided that the Superintendent of Schools of the Special School District, or persons duly authorized by such Superintendents of Schools, and in the case of School Districts, that officials designated by the State Board of Education may excuse, subject to the rules and regulations of the State Board of Education, cases of necessary and legal absence of pupils enrolled in the free public schools. Provided, further, that the provisions of this Section shall not apply to children whose mental or physical condition, as attested by a physician's certificate, is such as to render the instruction above prescribed inexpedient or impracticable.

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Section 42. Every parent, guardian or other person violating the provisions of the preceding section shall be guilty of a misdemeanor and shall, upon conviction thereof, forfeit a fine of not less than five dollars, or more than twenty-five dollars, on first conviction, and a fine of not less than twenty-five dollars or more than fifty dollars for each subsequent conviction, and in default of payment of said fine, the defendant may be committed to the county prison for a period not exceeding two days for the first conviction and for a period not exceeding five days for each subsequent conviction. Provided, however, that in case such parent, guardian or other person shall, within three days from the time that he is notified by the Superintendent of Schools, present an excuse in writing satisfactory to such Superintendent of Schools, or in the case of School Districts, by the said official designated by the State Board of Education, and shall comply with the requirements of Section 41, he shall not be prosecuted for such offense. The mailing of a notice to the usual address of the offending party shall be deemed sufficient notification.

Section 43. The fines provided for by this Article shall, when collected, be paid over by the officers collecting the same to the Treasurer of the Board of Education of the Special School District or to the State Board of Education according to the residence of the person convicted, to be accounted for by such Treasurer or by said State Board of Education as other moneys raised for school purposes.

Section 44. The State Board of Education and the Board of Education of any Special School District (either separately or jointly) may establish special schools for children who are habitual truants or who are insubordinate or disorderly during their attendance upon instruction in the free public schools and may provide for the proper care, maintenance and instruction of such children in such schools and for such periods of time as the respective Board may prescribe. But before the pupil shall be placed in such special school, the parent, guardian or person in parental relation shall have opportunity to be heard.

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Section 45. All truancy and incorrigibility shall be deemed disorderly conduct, and in case no special school, as herein prescribed, has been established, the State Board of Education and the Superintendents of Schools of the Special School Districts, and in the case of School Districts, officials designated by the State Board of Education, shall proceed against such truant or incorrigible pupil as a disorderly person, and upon conviction, the pupil may be sentenced for a definite time to the Ferris Industrial School for Boys or Delaware Industrial School for Girls. The State Treasurer shall pay to the authorities of the said school, on a claim submitted by the authorities in such school and countersigned by the Superintendent of Schools of the Special School District concerned, and in the case of School Districts, submitted and countersigned by the said official designated by the State Board of Education, the sum of fifty cents per day, from money not otherwise appropriated, for each day such pupil is confined in said institution.

Section 46. The State Superintendent of Public Instruction and Superintendents of Schools in Special School Districts, or persons designated by such Superintendents, shall issue employment certificates, permits and badges and the principal or the head teacher of the several free public schools shall make out and sign such records as are required by the laws regulating child labor as provided by Article III of Chapter Ninety of the Revised Code.

ARTICLE VI

SCHOOL FUND

Section 47. The State Treasurer shall be Trustee of the School Fund, with power to receive, sue for and recover any money or property bequeathed, given or belonging to said Fund; to vote as holder of any stock belonging to said Fund, except as to stock of the Farmers' Bank; to lease any real estate devised, given or belonging thereto, for terms not exceeding three years, and to distrain for and collect the rents thereon accruing, and to improve and manage such estate.

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Section 48. All moneys and property given to or appropriated to said Fund shall be and become a part of the School Fund of the State of Delaware, for the purpose of free public education in Delaware.

ARTICLE VII**AUDITOR OF ACCOUNTS**

Section 49. The Auditor of Accounts shall each year as soon as possible after July first audit the investments, the business and financial transactions, the records and accounts of the Trustee of the School Fund and all other accounts of the State Board of Education, the Boards of Education of the Special School Districts and the Boards of School Trustees. The State Board of Education shall publish the results of such audit, and shall also mention the name of any person who has made within the last year a gift to said funds, with the amount or value thereof.

ARTICLE VIII**SCHOOL BUILDINGS AND GROUNDS**

Section 50. The Boards of Education, of Special School Districts and the Boards of Trustees of School Districts shall file with their biennial school budgets of the year in which there is a Legislative session, a proposed building program which shall embrace:

1. Plans for ample, appropriate and suitable school sites and playgrounds.
2. Plans for buildings and equipment.

The State Board of Education shall consider such proposals, and may confer with such Boards and may with the consent of such Boards, alter, change, modify, add to and adjust such proposals.

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If said State Board of Education shall finally approve such proposed plan, it shall for the two succeeding years be the school building plan of such School District or Special School District, and if there are funds available for the purpose such plans may be carried out by the respective Boards. The State Board of Education may include such part of the total cost of all such plans in its biennial school budget as it thinks proper to be appropriated by the State.

Section 51. The said State Board of Education, Special School District Boards of Education and the Board of Trustees of School Districts are authorized and empowered to carry out such plans when so approved by the State Board of Education and are empowered to purchase grounds and buildings, rent grounds and buildings, improve and repair buildings and construct new buildings, and do such other things as are necessary to the carrying out of said building plan. In the remodeling of old buildings or the construction of new buildings they may employ an architect approved by the State Board of Education to assist in the preparation of plans and specifications.

Such Boards may receive donations of playgrounds, school grounds and school sites, or of buildings already built suitably located and adapted to school purposes, but in no case shall any site be built upon, or any buildings accepted until a good and sufficient title has been obtained for the same in the name of the Board; provided that in the case of School Districts such title shall be taken in the name of the State Board of Education.

Section 52. When lands shall be required for the site of a schoolhouse, or for enlarging a schoolhouse lot, or for play grounds or other school purposes, and the State Board of Education or the Board of Education of the Special School District shall for any cause be unable to contract with the owner or owners thereof upon what they deem to be a fair valuation thereof, such Boards may institute condemnation proceedings; but no lot so taken or enlarged shall exceed, in the whole ten acres, including the land occupied by the school building.

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Whenever it shall be necessary to institute condemnation proceedings to acquire any land for school purposes as provided in this Article, the Board may apply to the Associate Judge of the State of Delaware, resident in the county where such land is located, for the condemnation thereof, and the said Resident Judge shall thereupon appoint five judicious and impartial freeholders residing in the district applying for such condemnation, to view the premises and assess the damages which the owner, or owners, will sustain by reason of the taking of the said lands for the purpose aforesaid. The freeholders shall be sworn or affirmed faithfully and impartially to perform the duties assigned them. They shall give ten days' notice, in writing to the owner, or owners, of the premises proposed to be condemned, if within the State and to the Board of the time of their meeting to view the premises and assess damages. If the owner, or owners, reside outside of the State, or if under legal disability, and have no legal representative in the State, publication of such notice shall be made in some newspaper in the county in which proceedings were instituted at least ten days prior to the date fixed for said meeting, and such publication shall be sufficient notice thereof. The said freeholders shall ascertain and assess damages to the owner or owners, taking into consideration all circumstances of convenience or injury, but shall allow, at least, the cash value of the land taken, and shall certify their award to the owner, or owners, and, also to the Board applying, and shall return a record of their proceedings, with their finding and award, to the Prothonotary of the County in which the proceedings are instituted. If the said freeholders shall be guilty of misconduct in their proceedings, or if they shall make a grossly improper award, the said Judge shall, on application, set aside their award, and shall appoint other freeholders in their place, who shall proceed anew in the manner hereinbefore provided, and in like manner may set aside their finding or award, or the finding or awards of freeholders subsequently appointed for the purpose aforesaid, until a fair and equitable award has been made and accepted. The said Judge may substitute other freeholders in the place of any freeholder who for any reason may be unable to serve. When the final award has been made and

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accepted the proceedings shall be duly recorded by the Prothonotary. When the amount of damages has been ascertained the said State Board of Education or the said Board of Education of the Special School District may pay, or tender the amount thereof within two months to the person or persons entitled thereto, or if, for any reason, payment cannot be made to the owner or owners, the amount of the said damages may be deposited to the credit of the persons entitled thereto in the Farmers' Bank of the State of Delaware, at the county seat of the county in which said proceedings are instituted, and thereupon the said lands may be taken and occupied for the use and purpose for which said lands were condemned. The said freeholders shall be allowed three dollars per day for their services, which sum, together with other expenses of the condemnation proceedings, shall be paid by the Board applying.

Section 53. The Board of Education of the Special School District is authorized, and empowered to issue bonds on the credit of the school district, in amounts sufficient to carry out the building program of said district approved by the State Board of Education.

Said Board of Education of any school district shall not issue bonds for the purpose of this Section in a greater amount in the aggregate than five per cent of the assessed value of the real estate of such school district. Such bonds shall not be issued or sold at less than their face value, and shall be issued in series, and all bonds authorized to be issued at any time within a calendar year shall constitute a series. No bond of any given series shall run more than twenty-five years. The bonds provided in this Section shall be in such denomination or denominations, in such form, and shall bear such rate of interest, not exceeding six per cent., per annum, as shall be determined by the Board of Education of the district. The said bonds shall be signed by the President and one other member of the said Board of Education. The Board of Education is authorized to adopt a seal to be used in the execution of said bonds. The faith and credit of the school district issuing such bonds shall be

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deemed to be pledged for the payment of the principal and interest of such bonds. The said bonds shall be denominated as of the district and year in which they are issued, and the principal and interest shall be made payable at the branch of the Farmers' Bank in the county in which said bonds are issued, and the said bonds shall be exempted from all state, county or municipal taxes.

The text of the bonds shall provide for the payment of interest of any series of bonds and of the principal of any series of bonds by equal payments each year for twenty-five years, or for the period of such series of bonds. The authority to issue such bonds shall be construed to be authority to provide for the interest and annual payments on such bonds which, without further authority, shall be provided for by an additional tax levy on the real and personal property of the district issuing such bonds as provided by Article IX, of this Act.

The bonds to be retired shall be ascertained each year by lot or otherwise and when called for redemption shall be surrendered by the holders thereof on the date fixed for redemption. Interest on bonds so called for redemption shall cease on the date fixed for redemption.

Before any bonds shall be authorized and issued under the provisions of this Section a special election shall be held in the usual places and in the same manner as other school elections of which notice shall be given by advertisements setting out the purpose of said election published in at least two newspapers in the county at least once a week for at least two weeks before the day of said election, the last publication thereof to be at least five days before the said election, and by notices being posted on the door of the voting place where such election is to be held. In all of said advertisements and notices the amount of bonds proposed to be issued and the purposes and reasons therefor shall be set forth plainly and in detail. At said election every person qualified to vote at a general election shall be entitled to vote. At said election, at each voting place there shall be provided a

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sufficient number of ballots on which shall be written or printed the words "for the bond issue", and an equal number of ballots on which shall be written or printed the words "against the bond issue," and each voter shall be entitled to receive both of said ballots one of which the voter may deposit as his or her ballot, but any voter may prepare his or her own ballot and deposit that in lieu of the ballot provided as aforesaid. The polls for said election shall open at one o'clock P. M. of the day advertised for the said election according to said advertisements and remain open until eight o'clock P. M. of the said day and the said election shall be held by such persons as shall be designated by the Board of Education of the district concerned, and if the persons so designated are not present at the time for opening the polls the voters present may name election officers consisting of an Inspector, two Judges and two Tellers to hold said election.

For determining the result of said vote, the officers holding the election shall at once ascertain the result, and certify the same and deliver the ballots cast to the State Board of Education, which shall sit on the fourth day after the vote, Sundays and legal holidays excepted, and canvass the vote, and declare the result by an advertisement published in two or more newspapers of the county in which the district is located. Upon the application of twenty-five voters of any voting district in which the election is held filed with the State Board of Education before it begins its canvass of said vote, the State Board of Education shall recount the ballots voted in any such election district, and if any difference in the result shall be found they shall cause the certificate or certificates of the result to be corrected in accordance with such recount. The State Board of Education shall make out a certificate of the result of such vote which shall be filed and kept in the offices of the State Board of Education as a public record. If at such election a majority of the vote cast throughout said district shall be for the bond issue, then bonds to the amount voted upon shall be issued as in this Section provided, but if at such election a majority of the votes cast shall be against the bond issue, then the bond issue proposed shall not be made.

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No grounds shall be purchased or contracts made in contemplation of such bond issue.

ARTICLE IX**LOCAL TAXATION**

Section 54. Any School District, any Special School District, or the Public Schools in the City of Wilmington, may, in addition to the amounts apportioned to it by the State Board of Education, levy and collect additional taxes for school purposes upon the assessed value of real estate and personal property in such district, as determined and fixed for county taxation purposes.

Before such tax is levied, a special election shall be held at the usual place or places for holding school elections in the school district. Notice shall be given for such election by notices posted on the door of the school house where such election is to be held, at least ten days before the day of holding such election and by such advertisement in newspapers of the district or county as, in the judgment of the Board of the district, will give notice to the voters of such election. In such notice, the amount to be raised and the purposes of raising the same shall be stated. At such election every person qualified to vote at the school election in the district shall be qualified to vote.

The election shall be held by such persons as shall be designated by the Board of the district. If the persons so designated or any of them are not present at the time for opening the polls the voters present may name persons to take the place of those who are absent. The vote shall be by ballot on which is written or printed: "For additional tax," or "Against additional tax." The polls shall open at two o'clock in the afternoon and close at five o'clock in the afternoon.

The officers holding the election shall meet after the close thereof to ascertain the result and certify the same to the State Board of Education if the election is held in any School District, and to the Board of Education of a Special School District if the

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election is held in a Special School District, who shall, on the third day after the election, declare the result of such election in such manner as shall be deemed proper. If ten or more voters of the district in which the election is held shall petition for a recount before the day for announcing the result to the State Board of Education, if the election is held in any School District, or the Board of Education of any Special School District if the election is held in any Special School District, the ballots cast in the district shall be recounted and the results shall be announced in accordance with such recount. The ballots shall be retained and kept safely until the day for announcing the result and shall be delivered to the Board making the recount when called for by it. If, at such election, the majority of the votes cast shall be for additional tax, the said tax shall be levied and collected as follows:

The Board of School Trustees or the Board of Education of a Special School District in which the tax is to be levied shall cause to be made from the assessment records of the county in which the district is located, a list of all the taxables of the district, showing the property assessed against such taxables and the assessment of such property. There may also be added a poll tax on all persons twenty-one years of age and upwards residing in the district of such amount as shall be determined by the Board.

A copy of the assessment list shall be posted in some public place of the district for inspection and the Board shall advertise such posting in at least five public places of the district, giving notice that such list is posted and where, and the day, hour and place (not less than five days thereafter) of their sitting to hear objections. Upon such hearing the said Board shall make such corrections and additions as shall be right and proper.

Upon the completion of the assessment, the Board shall fix the rate sufficient to raise the amount determined to be raised at that time with an addition of ten per cent added thereto for delinquencies and costs of collection. The Board shall then execute and deliver its warrant with a duplicate of the assessment list to the collector specially appointed by the Board. Such collector

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shall be appointed by the Board and shall be required to give such bond as shall be required by the Board. In collecting the said tax, he shall proceed in the manner and have all the powers of the collector of county taxes. He shall pay over all moneys collected by him to the Board, as collected and shall finally account to said Board when required to do so. Said Board shall in such final accounting allow such delinquencies and errors as are right and proper to be allowed and shall pay such collector a proper compensation for his services. In the case of a School District, the moneys raised by such levy shall be paid over to the County Treasurer and paid out by him on the orders of the Board of Trustees of the School District, and in the case of a Special School District, on the orders of the Board of Education of the Special School District, the said orders being signed by the presiding officers and Secretaries of the said Boards and said moneys shall be used exclusively for the purpose for which the levy is made.

ARTICLE X

PRIVATE SCHOOLS

Section 55. All persons conducting private schools, and all private educational associations, corporations, or institutions shall report to the State Board of Education annually, on or before the thirty-first day of July, as to enrollment, age of pupils and attendance. Such persons shall also submit a monthly report on forms provided by the State Board of Education, to the State Board of Education; giving the name of each pupil enrolled, the date of enrollment, total days of attendance to date, and the number of days in attendance during the month for which the particular report is made.

Private teachers and the principal or head teacher of private schools or educational institutions shall make out and sign such records as are required by the laws regulating child labor as provided by Article III of Chapter Ninety of the Revised Code.

ARTICLE XI

SMITH-HUGHES VOCATIONAL EDUCATION ACT

Section 56. The State of Delaware accepts the benefits of

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the Smith-Hughes Vocational Education Act passed by the Senate and House of Representatives of the United States of America, in Congress assembled, entitled, "An Act to provide for the promotion of vocational education; to provide for co-operation with the State in the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the State in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," and will observe and comply with all the requirements of said Act, and the State Treasurer is hereby designated as custodian of any funds accruing to the State from the aforesaid Act.

The State Board of Education is authorized, empowered, directed and required to co-operate with the Federal Board of Vocational Education in the administration of the provision of this Act.

ARTICLE XII

DISTURBING SCHOOLS

Section 57. Any person who shall disturb a public school in session or wilfully destroy any public school property shall, upon conviction thereof be deemed guilty of a misdemeanor, and shall upon conviction forfeit and pay twenty dollars, to be collected as other fines, and paid to the Board of School Trustees or the Board of Education of the Special School District for the benefit of the respective district; or said offender shall be imprisoned not exceeding thirty days, or both, in the discretion of the Court.

ARTICLE XIII

STATE SUPPORT AND DISTRIBUTION

Section 58. The free public schools of the State of Delaware shall be maintained and supported:

1. By a uniform tax on personal and real property in the respective counties at the rate of twenty-five cents on each one hundred dollars of assessed value as determined and fixed for county purposes;

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2. By the revenue derived from the income of the State School Fund;
3. By all revenue derived from any personal income tax, or corporation tax, collected by the State;
4. By all revenue derived from all taxes on corporations collected by the State including franchise taxes collected under the provisions of Article 8, of Chapter 6, of the Revised Code.
5. By such moneys as shall be appropriated from time to time as additional appropriations made by the General Assembly for the support and maintenance of the free public schools of the State.

Section 59. The Levy Court of each respective county is authorized and empowered, directed and required, at the time of levying the taxes in the county for county, road and poor purposes, to levy an additional tax at the rate of twenty-five cents on each one hundred dollars of assessed value, as determined and fixed for other county taxation purposes of all personal and real property in and of the respective county which shall be collected as other county taxes are collected and shall be apportioned among the Special School Districts and the School Districts and the public schools in the City of Wilmington, as directed by the State Board of Education.

Section 60. The revenue derived from income taxes and tax on corporations and all fees received from the operation of income tax and corporation tax laws shall be set aside by the State Treasurer for school purposes and shall be paid out as provided in this Act on the order of the State Board of Education.

Section 61. The General Assembly shall, at its biennial session, beginning with the session of 1921, make provision for the annual payment for the succeeding two years to the free public schools of the State an amount which shall amply provide for the items of the official school budget not provided for by the county tax on personal and real estate, the income from the

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State School Fund, the income from tax on personal incomes, and on corporations, the income derived from the tax on corporations and fees received from the operation of the said income tax and corporation tax laws.

Section 62. In addition to the amount above provided by the General Assembly for school purposes the said General Assembly shall provide an appropriation in accordance with the requirements set forth in the annual official school budget of the State Board of Education, an amount sufficient to provide for a course for the training of school teachers in each of the counties of the State.

Section 63. Such appropriations as are made by the General Assembly, as aforesaid, such money as is derived from the income from the State School Fund, and such money as is received from the Federal Government for school purposes, under the Smith-Hughes Vocational Education Act, or any other like education act, shall be paid by the State Treasurer in accordance with the items of the official State School Budget and with the appropriations of the Legislature therefor, as required by the State Board of Education; but such payments shall be made only upon orders of the said State Board of Education, signed by its President, or its Vice-President, and its Secretary.

Section 64. No contract shall be made to extend beyond the period covered by the budget. Provided that if any Board should exceed the amount of its budget or the amount appropriated for items in the budget, they shall render themselves personally liable for such indebtedness so created.

Section 65. No right now possessed by, or security now enjoyed by, any creditor of any heretofore existing school authority or district, whether evidenced by bonds or otherwise, shall be impaired by this Act. All debts and claims against any present existing County Board of Education, when this Act goes into effect, shall be assumed by the State Board of Education, created by this Act.

Approved March 31, A. D. 1921.

CHAPTER 161

FREE SCHOOLS

AN ACT to amend an act entitled "An Act to Provide for the Establishment and Maintenance of a General and Efficient System of Free Public Schools," approved March 31st, A. D. 1921.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Act entitled "An Act to Provide for the Establishment and Maintenance of a General and Efficient System of Free Public Schools", as approved March 31st, A. D. 1921, be and the same is hereby amended by adding at the end of Section 1 thereof the following:

Provided, nevertheless, that nothing in this Act shall in any manner whatsoever interfere with or prevent the collection of any School Taxes heretofore levied in any County or District in this State, under existing law, for school purposes, and not collected prior to July 1st, A. D. 1921, and the various collectors in the several Counties and Districts, as the case may be, are hereby authorized and directed and fully empowered to continue to collect any such taxes until the same are fully collected and pay the same over to the proper custodian or custodians as heretofore, and each and every tax collector shall continue to be liable upon his bond for the complete collection and accounting of the same as now required by existing law; and each and every tax collector shall continue to have all of the powers of a County Tax Collector for the collection of such taxes, until the same have all been duly collected; and all of such taxes, collected after June 30th, A. D. 1921, and paid over to the proper custodian or custodians authorized to receive the same, according to law, shall be held and paid out by such custodian or custodians on warrants of the State Board of Education, in the respective counties and districts, for the purposes for which same were collected.

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Section 2. That the Act entitled "An Act to Provide for the Establishment and Maintenance of a General and Efficient System of Free Public Schools," approved March 31st, A. D. 1921, be and the same is hereby further amended by adding at the end of Section 59 thereof the following:

Provided, nevertheless, that for the school year beginning on the first day of July, A. D. 1921, and ending on the thirtieth day of June, A. D. 1922, the Levy Court of each respective County is authorized and empowered, directed and required, immediately upon the approval of this Act, to levy said tax for said school year.

Approved May 17, A. D. 1921.

CHAPTER 162

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PROPOSED PART-TIME SCHOOL ATTENDANCE LAW.

AN ACT to require Boards of Education in counties and special school districts to provide part-time educational opportunities in general, civic and vocational subjects for all persons under sixteen years of age, who are not in attendance upon full time day school; to enforce attendance upon such part-time classes when established and providing penalties for violation of this Act.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. On and after the first day of September, 1921, the Board of Education in every school district in this State, in which there are employed or there resides fifteen or more children between the ages of twelve and sixteen years to whom have been granted an employment certificate in accordance with the child labor and compulsory school attendance laws shall establish and maintain part-time schools and classes in general, civic or vocational subjects for such employed children, or for minors under sixteen who have ceased to attend all-day schools. Such schools and classes shall be under the control and management of the Board of Education and shall be an integral part of the Public School system of the city or district which maintains them. Said part-time schools or classes shall be maintained each year during the full period of time when the Public Schools of the district are in session.

Section 2. All minors under the age of sixteen years must attend an all-day school as defined in the school code, or be legally employed. Every parent, guardian or other person having custody and control of a child between the ages of twelve and sixteen, who has been granted a certificate to leave school to engage in a legal employment shall cause such a minor to attend such a part-time school or class for a period the equivalent of at least four hours each week for at least thirty-six weeks in each year, while so employed. Provided further when such minor is

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temporarily unemployed, the hours of attendance upon such part-time school or class shall be at least twenty hours per week.

Section 3. Such attendance shall be in the school district where the minor resides or is employed, and shall be during the hours of 8 A. M. and 5 P. M., except on Saturday, when the hours shall be from 8 A. M. until noon.

Section 4. This Act shall be in full force and effect on and after September 1st, 1921, and shall apply only to the establishment of part-time schools or classes for minors under sixteen years who are issued permits after September 1st, 1921.

Section 5. The time spent in a part-time school or class by a minor under sixteen years shall be reckoned as a part of the time or number of hours said minor is permitted by law to work. Employment of a minor on the farm, in the home or in domestic service shall be considered as a minor legally employed in some occupation or service.

Section 6. The minor subject to the provisions of this Act who fails to attend the part-time school or class may have his employment and school leaving certificate revoked.

Section 7. All of the penalties provided in the compulsory attendance law of Delaware are hereby made applicable in requiring the attendance of minors under sixteen years subject to the provisions of this Act upon a part-time school or class.

Section 8. All of the penalties provided in the Delaware Child Labor Law are hereby made applicable for any violation of the provisions of this Act by any person, firm or corporation employing a minor subject to the provision of this Act. Said employer shall permit the attendance upon part-time schools or classes in his employ of all minors subject to this Act.

Section 9. Any school district which refuses or neglects

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to provide adequately for part-time schools or classes as required by this Act shall forfeit from state funds due such school district for High School purposes an amount equal to that which is estimated by the Board of Education as necessary to operate and maintain part-time classes needed by that school district.

Section 10. The school officials charged with the responsibility of enforcing the compulsory attendance laws of this state shall also be responsible for the enforcement of the attendance upon part-time schools or classes in accordance with the terms of this Act.

Section 11. Whenever any part-time schools or classes shall have been established in accordance with the provisions of this act and the rules and regulations established by the State Board and shall have been approved by the State Board, the district shall be entitled to reimbursement from Federal and State funds available for the promotion of vocational education for the expenditures made for the salaries of teachers of such part-time schools or classes and such reimbursement shall be apportioned by the State Board. The local board of any such school district is hereby authorized to raise and expend moneys for the support of such part-time schools, or classes in a manner similar to that by which moneys are raised and expended for other school purposes: Provided, that said boards may make a levy sufficient to cover expenses of such schools over and above the amount now provided for school purposes.

Section 12. Whenever any school board shall deem it inexpedient to organize part-time schools or classes for employed minors, it shall state the reasons for such inexpediency in a petition to the State Director for Vocational Education, and when the State Board for Vocational Education, upon the recommendation of the State Director, shall judge such reasons to be valid, the school board shall be excused from the establishment of such part-time schools or classes.

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Section 13. All acts or parts of acts inconsistent herewith are hereby repealed.

Approved April 18, A. D. 1921.

CHAPTER 163

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AN ACT to further amend Chapter 92, Volume 23, Laws of Delaware, being an Act entitled "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington."

Be it enacted by the Senate and House of Representatives in General Assembly met (two-thirds of all the members elected to each House of the General Assembly concurring therein), in manner following, to wit:

Section 1. That Section 1' of an Act entitled "An Act to provide for the organization and control of the Public Schools of the City of Wilmington," being Chapter 92, Volume 23, Laws of Delaware, be and the same hereby is amended by striking out said section and inserting in lieu thereof a new section to be known as Section 1, as follows:

Section 1. That the City of Wilmington with the territory within its limits, or which in the future may be included by additions thereto, shall be and constitute a consolidated school district, and the supervision and government of public schools and public school property therein shall be vested in a board of seven members, to be called and known as the "Board of Public Education in Wilmington." Said Board, as hereinafter constituted, is hereby created a corporation, having perpetual existence and succession, and by and in said name shall have power to purchase, lease, receive, hold and sell property, real and personal, sue and be sued, and to do all things necessary to accomplish the purpose for which such school district is organized, and shall succeed to and be vested with, and be seized and possessed of all the privileges and property of whatever kind or nature granted or belonging to any previous school corporation, or Board of Education, or school districts in the City of Wilmington and said

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territory, or officers thereof authorized or empowered by an enactment of the General Assembly of the State to do anything in reference to public education, or to hold any of said property.

Section 2. That Section 2 of said Act be and the same is hereby amended by striking out said section and inserting in lieu thereof a new section to be known as Section 2, as follows:

Section 2. The Board of Public Education in Wilmington shall have general and supervising control, government and management of all the public schools and all public school property of the city; shall exercise generally all powers in the administration of the public school system therein, appoint such officers, agents and employees as it may deem necessary, define their duties and fix their compensation; shall have power to fix the time of its meetings, to make, amend and repeal rules and by-laws for its meetings and proceedings, for the government, regulation and management of the public schools and school property of the city, and for the transaction of its business. The said Board also shall have power:

1. To establish kindergartens, playgrounds, elementary schools, secondary schools, high schools, manual training schools or classes, trade, vocational and continuation schools or classes, evening schools, schools for adults, whether native or foreign-born, special and truant schools, training schools or classes for teachers, or any other schools or classes which it may deem necessary or wise, for the purpose of training and educating the inhabitants of said city, whether minors or adults; and to discontinue or consolidate any of such schools or classes.

2. To establish or change the grades of all schools and to adopt and modify courses of study therefor.

3. To fix a standard of minimum qualifications as a necessary requirement for the service of all superintendents, principals, and teachers; to examine applicants for teachers' certificates, with the assistance of the superintendent of schools, and

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to issue such certificates; to fix the salaries of the said superintendents, principals and teachers, and to dismiss them at any time for incompetency, neglect of duty, immorality, or for any cause which it may deem proper, for the best interest of the schools and the pupils thereof, after an impartial hearing of charges; to prescribe and enforce such rules and conditions as it may deem proper for the admission to, and suspension, expulsion and exclusion of pupils from said schools.

4. To purchase, lease or improve land and sites for school houses and school purposes; to build, purchase, lease, enlarge, improve, alter and repair school houses and their appurtenances; to purchase, improve, exchange and repair school apparatus, furniture and appendages; to adopt and supply all textbooks, supplemental school books and school supplies; to procure fuel and defray the contingent expenses of schools under its control; to pay the salaries and wages of all officers, principals, teachers and employees of said Board of Education.

5. To appoint as herein provided:

a. A Secretary of said Board, who shall serve during the pleasure of the Board.

b. A Superintendent of Public Schools who shall serve during the pleasure of the Board. The Board may appoint, from time to time, one or more persons to assist the Superintendent in the discharge of his duties.

6. The Board of Public Education in Wilmington shall have power to enact rules and regulations for the proper execution of all duties devolved or devolving upon said Board, its members and committees; for the transaction of all business pertaining to the same; for defining the duties of all of its officers, clerks, superintendent, principals, teachers, subordinates and employees; for regulating the manner of making disbursement from any of the funds appropriated for school purposes; for the execution of all powers vested in it by law, and for the

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promotion of the welfare and best interest of the public schools and public school system of the city.

Section 3. That Section 3 of the said Act be and the same is hereby amended by striking out said section and inserting in lieu thereof a new section to be known as Section 3 as follows:

Section 3. On and after the thirtieth day of June, nineteen hundred and twenty-one, the Board of Public Education in Wilmington shall be composed of seven members, to be elected at large in the City of Wilmington, without reference to ward boundaries or political divisions. At the school election for members of the Board of Public Education in Wilmington, to be held on the second Saturday in June, nineteen hundred and twenty-one the seven members to compose the said Board shall be elected from the residents of the City of Wilmington, and their terms of office shall begin on the thirtieth day of June, nineteen hundred and twenty-one. Upon the organization of the Board of Public Education in Wilmington, elected under and in accordance with the provisions of this Act, the terms of office of the members of the present Board shall immediately terminate. At the above named election the seven candidates individually leading in the number of votes received shall be declared elected, and shall constitute the Board of Public Education in Wilmington. The three candidates individually leading in the number of votes received shall hold office for the term of four years, and the four candidates individually leading in the number of votes received, other than the three candidates aforesaid, shall hold office for the term of two years. At an election to be held biennially on the second Saturday in June, in the City of Wilmington, next preceding the expiration of the terms of office of any of the said members of the Board of Public Education in Wilmington, their successors shall be elected for the term of four years. Should any two or more candidates receive an equal number of votes, the board of canvassers, as provided for in this Act, shall decide by lot the candidate, or candidates, to be declared elected. Removal of any member of said Board from the corporate limits of the City of Wilmington shall create a vacancy in his office.

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In case a vacancy shall occur in the office of a member of the Board of Public Education in Wilmington for any cause, the remaining members of said Board shall fill such vacancy by the appointment of the candidate individually leading in the number of votes received for candidates other than those elected at the last school election. The member so appointed shall hold office until the expiration of the term for which the vacating member was elected. If the candidate so individually leading in the number of votes received for candidates, other than those elected at the last school election, shall, for any cause, be unable to take such office, the candidate next individually leading in the number of votes received for candidates, other than those elected at the last school election, shall be appointed, and so on, until the list of candidates voted for at the last election shall be exhausted, in which case the remaining members of said Board shall fill such vacancy by the appointment of a suitable person qualified by law to be elected thereto.

Section 4. That Section 4 of the said Act be and the same is hereby amended by striking out said Section and inserting in lieu thereof a new section to be known as Section 4, as follows:

Section 4. The members of the Board shall be at least thirty years of age, and shall have been residents of the City of Wilmington for at least three years immediately preceding their election, and shall be qualified to vote at school elections. They shall be ineligible to any elective or appointive office under such Board while holding membership in said Board. They shall not be interested either directly or indirectly in any contract with or claim against the said Board of Education in Wilmington. If at any time after the election of any member of said Board, such member shall become interested in any such contract with or claim against said Board, he shall thereupon be disqualified to continue as a member of said Board, and a vacancy shall thereby be created. Every member of said Board shall, before assuming the duties of his office, take an oath or affirmation, as follows: I, , do solemnly

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swear (or affirm) that I have been a bona fide resident of the City of Wilmington for the period of three years prior to my election as a member of the Board of Public Education in Wilmington, and that I possess all the qualifications required by law for members of said Board; that I will diligently and faithfully perform the duties of a member of said Board according to the best of my knowledge and judgment; that I will not, while serving as a member of said Board, become interested, directly or indirectly, in any contract with or claim against the said Board; and that I will not be influenced in any vote or action as a member of the said Board by political or sectarian considerations, or by anything except merit and fitness. The President, the Secretary, and the members of said Board are authorized to administer the oath or affirmation hereinabove provided to members of the said Board or to each other.

No compensation shall be received by members of the said Board; but they shall be exempt from jury duty during their term of office.

The Board may remove any of its members upon proof of official misconduct in office, or of neglect of official duties, or of conduct in any manner connected with his official duties which would tend to bring discredit to his office or the school system, or of mental or physical inability to perform his duties as a member of said Board; but before such removal of said member, he shall receive due and timely notice in writing of the charges against him, and a copy thereof, and shall be entitled to a hearing before said Board, and to the assistance of counsel at said hearing. Provided, however, that no member shall be removed unless the final action shall be with the consent of two-thirds of all the members elected to said Board.

Section 5. That Section 5 of the said Act be and the same is hereby amended by striking out said section and inserting in lieu thereof a new section to be known as Section 5, as follows:

Section 5. Elections for said Board shall be held under

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the provisions of the general laws governing city elections, so far as they are consistent with the provisions of this Act. Not later than fifteen days before any election for members of the Board of Education provided for in this Act, electors qualified under the provisions of this Act may present names of candidates for election as members of said Board of Education to a Board of Canvassers, consisting of the President of the Board of Education, the Mayor, the Treasurer and the City Solicitor of the City, in the manner following: Each candidate shall be proposed in writing by not fewer than fifty of said qualified electors. No more than one candidate may be named in any one petition, and no person may sign more than three petitions for any one election. Candidates may be proposed by qualified electors resident in any part of the city. Said proposals or petitions nominating candidates for said Board shall be filed with the Secretary of said Board, who shall be ex-officio the Secretary of the said Board of Canvassers. Upon the presentation of such petitions to the Board of Canvassers, the said Board of Canvassers shall publish, at the expense of the said Board of Public Education in Wilmington, for five secular days next preceding said school elections, the names as proposed, in at least two daily newspapers of the city, and shall certify, at the time required by law, such nominations to the Department of Elections for said City. Said Department of Elections shall prepare ballots in form as hereinafter directed, printed on plain paper, at the expense of the said Board of Public Education in Wilmington, containing the names of all such candidates, arranged in an order to be determined according to lot by said Board of Canvassers. Ballots to be used at such school elections shall contain the words, "School Election in and for the City of Wilmington, Delaware," the date of holding said election, the names of the candidates arranged as determined by the Board of Canvassers, and the number of candidates to be voted for. The electors shall designate their choice of candidates to be voted for by marking the ballot by crossing two lines with an indelible black lead pencil or indelible black crayon in the small square placed before the name of each candidate in the official ballot. It shall be the duty of the said Board of Public Education in Wilmington to furnish

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the pencils or crayons herein required. Defective designation of one or more of an elector's choice shall not invalidate said ballot so far as there shall appear to be a proper designation of choice for any other of the candidates. Such ballots shall be voted at said special school election and deposited in a ballot box provided by the said Department of Elections for such purposes. The name of any candidate shall not be thus published and placed on the official ballot by said board of canvassers if it shall appear that such candidate is ineligible for membership on the said Board of Education under the provisions of Section 4 of this Act.

Section 6. That Section 6 of the said Act be and the same is hereby amended by striking out said section and inserting in lieu thereof a new section to be known as Section 6, as follows:

Section 6. Said members of the Board shall be chosen by ballot, in manner and form hereinbefore provided, by the residents of the city who shall have been qualified to vote at the last preceding city election.

No member of City Council shall be a member of the Board of Public Education in Wilmington. The Board of Public Education in Wilmington shall appoint a place or places for holding the school election in each ward, and give notice thereof in two or more newspapers published in the City of Wilmington for ten days previous to the time of holding said election, and shall also give at least four days' notice thereof by hand bills, under the name of the Secretary of the Board, posted in four or more of the most public places in each ward. The Department of Elections of the City of Wilmington, shall, at the request of said Board, appoint three men as inspectors for each polling place designated as aforesaid, whose duty it shall be to hold said election and judge of the qualifications of voters, and otherwise conform to the requirements of law in that behalf. The three inspectors thus appointed for any polling place shall be from among those persons who at the last preceding city election acted as inspectors within the ward in which they are appointed to

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hold the school election, and they shall not all be of the same political faith. Two of said inspectors may act as clerks, and as a part of their duties shall keep a list of the names and residences of electors who shall have voted at each polling place. The election of members of the Board shall be held on the second Saturday in June in the year nineteen hundred and twenty-one and at the same time in every second year thereafter. Said election shall be held in the afternoon, the polls being opened at twelve o'clock noon and closed at seven o'clock in the afternoon. If the inspectors appointed and directed as aforesaid to hold said election shall refuse to serve or are not at the place of election at the time of opening the polls, the voters present, shall by plurality, without ballot, choose an officer or officers for holding the election in the place of the one or more so refusing or not present. The officers holding the election shall, before opening the election, each take an oath or affirmation as follows: I, _____, do solemnly swear (or affirm) that in holding the election this day for members of the Board of Public Education in Wilmington, I will faithfully discharge my duty and make true certificates thereof and deliver the same, according to law, so help me God (or, I solemnly affirm).

The inspectors appointed or chosen as aforesaid to hold said election shall meet at the polling places to which they are allotted, and shall organize as a Board by selecting one of their number to act as Chairman, but in case of failure to so organize within fifteen minutes after the time fixed for meeting, the chairman shall be selected by lot. The inspector selected as chairman is authorized to administer the oath or affirmation hereinbefore provided to the other inspectors and either of them to him or to each other.

Any person applying to vote for members of said Board, on any day of election, may be challenged by any qualified voter of the City of Wilmington; and any one of the inspectors of election at the polling places where said person is challenged may, at any such time or times, and one of them shall, administer to any person so challenged the following oath or affirmation:

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You do swear (or affirm) that you will fully and truly answer such questions as shall be asked you touching your qualifications as an elector, so help you God (or as you solemnly affirm).

Any person who may be offered as a witness to prove the qualifications of any person so claiming the right to vote, shall also be sworn or affirmed in like manner. Any person refusing to take such an oath or affirmation, if so required, or refusing to answer such questions as may be asked touching his qualifications as an elector, shall not be permitted to vote. If any person, taking an oath or affirmation provided for in this section, shall swear falsely, he or she shall be deemed guilty of perjury, and upon conviction, shall be punished by fine or imprisonment, or both, at the discretion of the trial Court.

It shall be the duty of the Department of Elections for the City of Wilmington, on or before the hour of twelve noon, on the day of the holding of any election for members of said Board provided for in this Act, to deliver at the places for the holding of said elections so designated by the Board of Public Education in Wilmington, all books of registered voters used at the next preceding city election, containing the names of residents within the voting district for which said polling place is designated as aforesaid. Said books of registered voters shall be used by the officers holding said school election to determine the qualifications of all persons offering to vote at said election and who are qualified to vote at school elections, and at the close of the polls of said elections, shall be forthwith returned to the said Department of Elections.

The officers holding said election shall, upon the closing of the polls, forthwith proceed to count the votes for the several candidates voted for at said election, and shall prepare and severally sign duplicate returns of said votes upon blanks furnished said election officers by the said Board of Public Education in Wilmington. One of said duplicate returns shall, together with the ballots cast at said election, and the list of elec-

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tors who shall have voted, be deposited in the ballot box, which box shall be thereupon securely sealed and retained in the exclusive custody of the chairman of the election officers of the respective polling places until the meeting of the Board of Canvass as hereinafter provided. The other certificate of said return shall be forthwith delivered to the Secretary of the said Board of Public Education in Wilmington.

On the Monday following the holding of any city school election the chairman of the election officers of the respective polling places where said elections have been held as aforesaid, shall, at eight o'clock in the evening, meet at the rooms of the Board of Public Education in Wilmington, where the meetings of said Board are usually held, and shall there produce the said ballot boxes, together with their contents. The said Board of Canvassers shall also meet and attend at the same time and place and shall proceed forthwith to canvass the returns of the vote for the candidates for said Board, using for the purpose of the said canvass and the determination of the votes cast for any candidate for said Board, the certificates of election returns theretofore deposited with the Secretary of said Board.

Recourse to the certificate of election returns remaining in the ballot boxes shall be had by said Board of Canvassers only in case of the absence, illegibility, defacement or alteration of the certificate theretofore deposited with the Secretary of said Board. Recourse to the ballots in any one of said ballot boxes shall be had only in case of a sworn allegation of the fraudulent miscount or false certification by the election officers at any polling place of the ballots cast at such polling places.

That upon the canvass of said vote, the members of said Board of Canvass, or a majority of them, shall then immediately make out a sufficient number of certificates of the result of said election upon blanks to be furnished them by the said Board of Public Education in Wilmington, under their hands, and shall within two days thereafter, deliver one of said certificates to the Secretary of the said Board and one to each member elect.

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The said Board of Public Education in Wilmington shall meet for organization on the thirtieth day of June immediately after said biennial election, or on the twenty-ninth day of June should the thirtieth day of June fall on Sunday, at which meeting the members shall elect one of their number as President of the Board, who shall hold office for the term of two years. The said Board at any meeting shall have the power to fill the vacancy caused by death, resignation or disqualification of the President of the said Board. The said Board shall be the judge of the election and qualification of its own members. All and every one of the acts and duties relative to the said school election imposed or vested in the said Board of Public Education in Wilmington, shall, so far as the same relate to the first of said school elections to be held under this Act, be imposed upon and vested in the existing Board of Public Education in Wilmington at the time of the approval of this Act.

Said election officers shall be entitled to similar compensation and the expenses of the holding of said elections shall be paid by said Board of Public Education in Wilmington in a similar manner as is provided by law in the case of other city elections.

Section 7. That Section 9 of the said Act be, and the same is hereby amended by striking out said section and inserting in lieu thereof a new section to be known as Section 9, as follows:

Section 9. Four members shall form a quorum for the transaction of business. The officers of the Board shall be a President, who must be a member, a Secretary, and such other officers and agents as may be found necessary. The Board may appoint a person not a member of the same, Secretary thereof, prescribe his duties, require from him bonds with surety for his faithful performance of said duties, if deemed expedient, and allow him compensation for services by stated salary or otherwise, as may be considered proper.

The Board shall, during the month of April in each year,

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cause to be prepared and laid before them estimates of their probable revenue and expenses for the ensuing fiscal year, which estimates they shall lay before the Council on or before the first stated meeting of Council in May following. At the time of presenting to Council said estimates of revenue and expenses the Board shall, in addition thereto, include the amount necessary to be paid for interest on bonds in the following fiscal year, and also, when necessary, the amount required in that year for the retirement of bonds, provided that the total estimate of expenditures for the Board of Public Education in Wilmington, exclusive of the amount of bonds that may be issued as in this Act hereinafter provided, shall not exceed nine mills on each dollar of the value of real and personal property as assessed and taxable for current city revenue. The said Board, early in June in each year, after the Council shall have made appropriation for the use of the public schools for the following fiscal year as herein provided, shall make the apportionment and appropriations for their expenditures for that year, based as nearly as may be, upon the estimates made by them in April previous, and such apportionment and appropriations shall be specified and arranged under the heads or items designated in said estimates. The said Board shall have no power or authority except when specially authorized by act of the General Assembly to borrow money or contract or create any debt or liability except ordinary debts and liabilities incurred in executing the duties imposed on them by law, to be paid out of the said appropriation made by Council and the receipts of the year for the time then current. No money shall be paid from the treasury of the Board unless the same shall have been appropriated as aforesaid.

Section 7 A. The Council of "The Mayor and Council of Wilmington", shall have power and authority to borrow money from time to time to be used for the erection and equipment of new school buildings, or additions to or enlargement of old school buildings, or for the re-equipment of old school buildings, including the purchase and improvement of grounds, and playgrounds, and the refunding of existing bonds, to an amount, inclusive of

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its present bonded debt, not exceeding in the aggregate two per centum of the then assessed value of the real estate of said city; provided, that the indebtedness herein authorized to be incurred shall be exclusive of and in addition to any indebtedness authorized to be incurred by "The Mayor and Council of Wilmington", in the charter of said city as now existing, or as it shall hereafter be amended from time to time. The amount hereby authorized to be borrowed in any one year shall not exceed one-half of one per centum of the assessed value of the real estate of said city herein specified.

The sum or sums determined upon by said Council to be borrowed under the provisions of this Act, shall be secured by the issue of bonds by the said Council of "The Mayor and Council of Wilmington", of the denomination of one thousand dollars each, and bearing such rate of interest, not to exceed six per centum per annum, as said Council may deem expedient, the interest upon which shall be payable semi-annually.

Said bonds shall be sinking fund bonds and shall be divided into as many classes as may be necessary to mature and retire them, and shall be paid at their face value on maturity, provided, however, that not less than two and one-half per centum of the total face value of said bonds, counting to the nearest thousand dollars, shall mature and be paid and retired in each fiscal year, beginning with the next fiscal year succeeding the fiscal year in which they are issued.

Said bonds shall be prepared under the supervision of "The Council", of "The Mayor and Council of Wilmington", and shall be signed by the Mayor of "The Mayor and Council of Wilmington", and countersigned by the City Treasurer and City Auditor of Wilmington, and shall be sealed with the corporate seal of "The Mayor and Council of Wilmington." It shall be the duty of such officers to execute said bonds when so directed by "The Council", and it shall be the duty of the City Treasurer of Wilmington and the City Clerk to keep a record of said bonds.

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Said bonds, or any part thereof, may be sold when and as the Council of "The Mayor and Council of Wilmington" shall by resolution determine and direct, and until sold shall remain in the custody of the City Treasurer of the City of Wilmington. Whenever in the judgment of the said Council, it shall be deemed expedient that any part or all of said bonds shall be sold, the said Council may sell and dispose of the same on the most advantageous terms possible after having advertised the same in the public press at least once each week for at least two weeks. No commission or other compensation shall be charged by or paid to any member of the said Council for effecting the sale or negotiation of said bonds.

Said bonds, principal and interest, shall be paid at some designated banking institution in the City of Wilmington in gold coin of the United States of America equal in weight and fineness to the standard at the time said bonds are issued, out of money appropriated for that purpose by the Council of "The Mayor and Council of Wilmington", as herein provided; and the said Council is hereby authorized and directed to pay the principal as well as the interest on said bonds when and as the same become due and payable, respectively. The said Council of "The Mayor and Council of Wilmington" shall annually, after the issuance of said bonds, provide for and set aside from any money appropriated to the use of the Board of Public Education in Wilmington an amount equal to the amount of interest due each year on said bonds, and as and when said bonds mature and become due and payable, shall in like manner provide for and set aside, annually, an amount equal to the amount of principal of said bonds which may become due and payable in any year, and such sums set aside for the payment of interest and principal of said bonds shall be kept as other funds for the payment and retirement of bonds and interest and the said Council shall apply said sums annually to the payment of said bonds and interest thereon as such sums may become due and payable.

All of the bonds issued in payment of any one operation or transaction shall be numbered consecutively from one upwards,

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and shall bear the same date. All money received from the sale of such bonds, after the payment of the charges and expenses connected with the preparation, issuance and sale thereof, shall be deposited by said Council in some one or more banking institutions in the City of Wilmington, in which city deposits are kept, as a special deposit to the credit of said "The Mayor and Council of Wilmington", and payments therefrom shall be made in the same manner as other payments are made to said Board of Education, provided that no part of said money shall be used for any other purpose than for the erection and equipment of new buildings, or additions to and enlargement of old buildings, or for the re-equipment of old buildings, and including the purchase and improvement of land and playgrounds, and the refunding of existing bonds, issued under the provisions of this Act, provided, that the purchasers or holders of said bonds shall not be bound to see to, nor be affected by, the application of the money realized from the sale of such bonds.

The bonds to be issued in accordance with the provisions of this Act shall conform as nearly as may be to the following form:

UNITED STATES OF AMERICA

State of Delaware

Class Number

"The Mayor and Council of Wilmington"

School Bond

\$1,000.00

\$1,000.00

"The Mayor and Council of Wilmington," a municipal corporation of the State of Delaware, for value received, hereby acknowledges its indebtedness to, and promises to pay to the holders of this bond, at the Bank at Wilmington, Delaware, on the day A. D. 19 , the sum of One Thousand Dollars (\$1,000.00) with interest thereon, at the rate of per centum per

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annum, payable semi-annually on the _____ day of _____
in each year. This bond is one of the authorized issue
of.....bonds, aggregating thou-
sand dollars, by virtue of and in strict compliance with the pro-
visions of an Act of the General Assembly being an Act to amend
Chapter 92, Volume 23, Laws of Delaware, approved
A. D. 1921, entitled, "An Act to further amend Chapter 92, Vol-
ume 23, Laws of Delaware, being an Act entitled 'An Act to
provide for the Organization and Control of the Public Schools
of the City of Wilmington'", and in pursuance to a resolution
of the Council of "The Mayor and Council of Wilmington",
adoptedA. D. 19.....

It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly and that the faith and credit of said "The Mayor and Council of Wilmington" is pledged for the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the Mayor of "The Mayor and Council of Wilmington", and the City Treasurer and City Auditor of the City of Wilmington, have hereunto set their hands and the corporate seal of the said City of Wilmington, is hereunto affixed, thisday of
A. D. 19.....

.....
Mayor of "The Mayor and Council of Wilmington"

 (SEAL) **City Treasurer of the City of Wilmington**

City Auditor of the City of Wilmington

Said bonds shall contain such provisions in addition to these set forth in this Act and not inconsistent with the requirements of this Act, as the Council of "The Mayor and Council of Wilmington" shall determine.

Section 8. That Section 10 (first mentioned) of the said

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Act be, and the same is hereby amended by striking out said section and inserting in lieu thereof a new section to be known as Section 10, as follows:

Section 10. The Board of Public Education in Wilmington shall adopt a proper system of bookkeeping, and keep or cause to be kept, true and accurate accounts, fully itemized, of all labor performed, or materials, or supplies furnished to or for said Board, or upon its order; which books, at all times, shall be open for inspection and examination by the Mayor, the City Auditor or the authorized agent of the Mayor. The said Board shall, during the month of July in each year, cause to be published, in two or more of the newspapers of the City of Wilmington, a full report of their accounts and proceedings during the past year, setting forth aggregates under appropriate heads. The Board shall depute one of its members together with the Secretary of the Board to settle with the State Auditor.

Section 9. That Section 10 (secondly mentioned) of the said Act be, and the same is hereby amended by striking out said section and inserting in lieu thereof a new section to be known as Section 10-a, as follows:

Section 10-a. The City Auditor shall examine all bills against said Board and endorse them as correct before they are presented to said Board for payment; he shall also examine and countersign all drafts or orders and withhold his signature in case the draft or order is made without sanction of law, or with any circumstances of fraud actually or presumably attached thereto, in all of which cases he shall report his action and the grounds therefor to the said Board at their ensuing meeting; said Board shall thereupon duly, carefully and publicly consider the case and shall sustain or overrule his action by a vote of at least five of all the members elected to said Board, whereupon it shall be the duty of the City Auditor, in case he shall be overruled, to countersign the said draft or order, in which case he shall be exonerated from all responsibility in the premises. He shall also keep a book in which an exact copy of the receipts and

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expenditures of said Board shall be entered. All money received by the said Board from sales of articles, or from any source whatsoever, shall be deposited with the City Treasurer for which a receipt shall be taken. The City Treasurer shall immediately deposit said funds in such bank as may be designated by said Board, and the orders or warrants drawn against such funds shall be drawn and signed by the Secretary of the Board, signed by the President, and countersigned by the City Auditor and City Treasurer. The City Treasurer upon depositing the funds of said Board shall make a certificate of deposit in triplicate, which shall be signed by the authorized agent of the bank, and one of each certificates shall be delivered to the City Auditor, one to the Secretary of the Board and the third be retained by the City Treasurer. The City Treasurer shall pay out all warrants or orders and shall take a receipt for the same. He shall keep a cash book containing the receipts and expenditures of said Board and shall render a statement of the financial condition of said Board at each meeting.

Section 10. That Section 11 of said Act be, and the same is hereby amended by striking out said section and inserting in lieu thereof a new section to be known as Section 11, as follows:

Section 11. The Council shall, every year, when determining the amount necessary to be raised on the persons and estates in the City of Wilmington for public use, also include the sum necessary to be raised on the persons and estates for executing the foregoing provisions; provided, that the amount to be raised by taxation for school expenses in any one year including all the expenses which the Board of Education is authorized to incur under the provisions of this Act, and including expenses for maintenance, operation, interest on bonded debt, and retirement of bonds falling due, shall not exceed seven mills on each one dollar of the value of real and personal property as assessed and taxable for city purposes. The amount collected for school purposes shall be paid into the city treasury as other taxes are paid. At the time of making the annual appropriation for public use, the Council shall also make an appropriation for school expenses equal in

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amount to the estimate of revenues and expenses laid before said Council under the provisions of Section 7 of this Act, being Section 9 of the Act as amended, provided, that the sums so appropriated shall not exceed seven mills on each one dollar of the assessed value of city property as assessed and taxable for city purposes.

Section 11. That Section 12 of said Act be and the same is hereby amended by striking out said section and inserting in lieu thereof a new section to be known as Section 12 as follows:

Section 12. The amount of the appropriation for the school expenses as made by the Council shall be paid in full, in twelve equal installments, on the second Monday in each and every month during the year, by the City Treasurer, upon orders drawn by the Council under the hand of its President, attested by the Secretary.

Section 12. That Section 17 of said Act be and the same is hereby amended by striking out said section and inserting in lieu thereof a new section to be known as Section 17, as follows:

Section 17. For all work and labor hereafter required to be done, and goods, chattels, wares, merchandise, materials, tools and machinery to be furnished, or had and used by or for account of the said Board, where the cost in any particular case will probably exceed the sum of one hundred dollars, the Board shall publicly invite sealed proposals for the doing of such work and the furnishing of such goods, chattels, wares, merchandise, material, tools and machinery, and give the contract to the lowest bidder or bidders; provided, that the Board shall have authority to reject any and all bids, and provided, that the Board may require from all or any of the bidders security for the faithful performance of their contract.

Section 13. All Acts and parts of Acts inconsistent herewith are hereby repealed.

Approved March 30, A. D. 1921.

CHAPTER 164

FREE SCHOOLS

AN ACT to amend Chapter 359, Volume 16, Laws of Delaware, entitled, "An Act to exempt certain persons from the operation of Chapter 48, Volume 15, Laws of Delaware, and enable them to establish schools for their children in Sussex County."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House concurring therein):

Section 1. That Chapter 359, Volume 16, Laws of Delaware, be and the same is hereby amended by striking out in lines three and four of Section 2 thereof the words, "The Indian River School Districts" and inserting in lieu thereof "The Indian River School Districts for the descendents of the Nanticoke Tribe of Indians"; and by striking out in lines four and five of said Section 2 the words "A certain class of colored persons" where the same occurs, and inserting in lieu thereof the following: "the descendents of the Nanticoke Tribe of Indians"; and by striking out in line seven of Section 3 thereof the words, "who does not belong to the class of colored persons" where the same occurs in said line and by inserting in lieu thereof the following: "who is not a descendent of the Nanticoke Tribe of Indians."

Approved April 7, A. D. 1921.

CHAPTER 165

FREE SCHOOLS

AMERICANIZATION

AN ACT to assist in the Americanization of the foreign born non-English speaking residents of the State of Delaware, and to appropriate a sum of money therefor.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in any School District within the State of Delaware, including the City of Wilmington, where there are ten or more persons over sixteen years of age, who do not speak the English language, and who desire to attend a class or classes in which they may receive instruction in speaking English, the School Committee or other body having control of the Public Schools of such District or of said City is hereby authorized and empowered to establish a class or classes, to be held in the evening or at such other time as may be convenient for such persons, for the instruction of such persons in the English language and in the institutions and forms of government of the United States and the State of Delaware. The teachers for such classes shall be employed by such School Committee or other body having control, as aforesaid, and need not be the holders of certificates under the provisions of the General School Law of this State.

Section 2. That the sum of Twenty-five Thousand Dollars per annum for each of the two years beginning January 1, 1921 and January 1, 1922, is hereby appropriated out of the general fund of the State for the purposes of this Act. That the said sum, or so much thereof as may be necessary, shall be used to pay the cost of inaugurating and maintaining classes for instruction as aforesaid, when such costs shall have been approved by the State Board of Education, and the said Board is author-

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ized to give orders on the State Treasurer for the payment of such costs; such orders to be signed by the President or Acting President of said Board and attested by its Secretary. The State Treasurer is authorized and directed to honor all such orders up to the amount appropriated by this Act.

Section 3. That this Act shall take effect from the date of its approval by the Governor.

Approved April 7, A. D. 1921.

CHAPTER 166

DELAWARE COLLEGE

AN ACT to amend an Act entitled, "An Act to re-incorporate Delaware College and amend the charter thereof," changing the name "The Trustees of Delaware College" to "University of Delaware," and relating to the terms of trustees.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all members elected to each House concurring therein) :

Section 1. That the words "The Trustees of Delaware College", be and the same are stricken out wherever and whenever the same occur in an Act of the General Assembly of the State of Delaware, entitled, "An Act to Re-incorporate Delaware College and Amend the Charter Thereof", approved March nineteenth, A. D. 1913, being Chapter 117, Volume 27, Laws of Delaware, and that the words "University of Delaware" be inserted in lieu thereof.

Section 2. That from and after the passage of this Act, no Trustee shall be chosen, elected or appointed for a longer term than six years.

Approved March 28, A. D. 1921.

CHAPTER 167

DELAWARE COLLEGE

AN ACT appropriating money for the maintenance of Delaware College, the Women's College and the Agricultural Department of Delaware College.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of the members elected to each House concurring therein) :

Section 1. That for the maintenance and general care of the buildings and grounds at Delaware College, at Newark, in the State of Delaware, and to better enable the Board of Trustees of Delaware College to carry into effect the purposes provided in the various Acts of Congress, applicable to said College, and to provide such instruction, and for such other purposes as are not provided in said Acts of Congress, the sum of Eighty-three Thousand Five Hundred Dollars is appropriated, annually, out of any money in the Treasury of the State of Delaware, to The Trustees of Delaware College; Forty Thousand Five Hundred Dollars thereof to be paid on the First day of July in each year, and Forty Thousand Dollars thereof to be paid on the First day of January in each year.

Section 2. That for the maintenance of the Women's College affiliated with Delaware College, the sum of Fifty-three Thousand Dollars is appropriated, annually, out of any moneys in the Treasury of the State of Delaware, to The Trustees of Delaware College; Thirty Thousand Dollars thereof to be paid on the First day of July in each year, and Twenty-three Thousand Dollars thereof to be paid on the First Day of January in each year.

Section 3. That for the maintenance of the Agricultural Department at Delaware College, and the Agricultural Experiment Station in charge of the Agricultural Department at Dela-

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ware College, the sum of Twenty Thousand Dollars is appropriated, annually, out of any moneys in the Treasury of the State of Delaware, to The Trustees of Delaware College; Ten Thousand Dollars thereof to be paid on the First day of July in each year, and Ten Thousand Dollars thereof to be paid on the First day of January in each year.

Section 4. That for the purpose of paying the expenses incurred by The Trustees of Delaware College, for the maintenance of Delaware College, the Women's College of Delaware, and the Delaware College Agricultural Department, up to June 30, 1920, in excess of the amounts received, and to furnish sufficient funds to maintain said several Departments of the College until June 30, 1921, the sum of Ninety-one Thousand, Four Hundred and Seventy-five Dollars and fifty-four cents is hereby appropriated, out of any moneys in the Treasury of the State of Delaware; Forty-five Thousand Seven Hundred and Thirty-seven Dollars and seventy-seven cents thereof to be paid to The Trustees of Delaware College on or before the first day of April, 1921, and Forty-five thousand, Seven Hundred and Thirty-seven Dollars and seventy-seven cents thereof to be paid on the second day of January, 1922.

Section 5. In order to secure to the State of Delaware the full benefit of the appropriations provided in the Act of Congress of the United States, approved by the President on the Eighth day of May, 1914, entitled "An Act to Provide for Co-operative Agricultural Extension Work between the Agricultural Colleges in the several States receiving the benefit of the Acts of Congress, approved July 2, 1862, and all Acts supplemental thereto, and the United States Department of Agriculture," the sum of Fifteen Thousand Four Hundred and Seven Dollars and Sixty Cents is hereby appropriated out of any moneys in the Treasury of the State of Delaware, to The Trustees of Delaware College, Seven Thousand, Two Hundred and Three Dollars and sixty cents thereof to be paid on the First day of July, 1921, and Eight Thousand, Two Hundred and Four Dollars thereof to be paid on the First Day of July, 1922.

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The moneys appropriated under this Section shall be used and applied by The Trustees of Delaware College for Co-operative Agricultural Extension Work in the State of Delaware, in connection with the United States Department of Agriculture.

Section 6. In order to secure to the State of Delaware the full benefit of any appropriations made under any Act of Congress passed or to be passed prior to the First day of July, A. D. 1922, supplemental to the Act of Congress of the United States, approved by the President on the Eighth day of May, 1914, entitled "An Act to Provide for Co-operative Agricultural Extension Work between the Agricultural Colleges in the several States receiving the benefit of the Acts of Congress approved July 2, 1862, and all Acts supplemental thereto, and the United States Department of Agriculture," known as the Smith-Lever Act, the sum of Six Thousand and Three Dollars is hereby appropriated out of any moneys in the Treasury of the State of Delaware; Three Thousand and One Dollars and fifty cents thereof to be paid on the First day of July, 1921, if and when it is Certified to the State Treasurer that Congress has passed said Act supplemental to the Smith-Lever Act, and Three Thousand and One Dollars and fifty cents thereof to be paid on the First day of July, 1922, if and when it is certified to the State Treasurer that Congress has passed said Act supplemental to the Smith-Lever Act. Said moneys so appropriated under this Section, shall be used and applied by The Trustees of Delaware College for co-operative agricultural extension work in the State of Delaware, in connection with the United States Department of Agriculture, as provided under the terms of any such supplemental Act or Acts of Congress, when and if enacted.

Approved April 7, A. D. 1921.

CHAPTER 168

DELAWARE COLLEGE

AN ACT to provide for the maintenance of a summer school at Delaware College for the instruction of teachers in a summer session.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The Trustees of Delaware College shall maintain at Delaware College for a period of not less than six weeks during the summer of each and every year a school for teachers in which shall be given courses in pedagogy and such other subjects as will give increased efficiency to those who are now teaching or wish to prepare to teach in the free public schools of this State. The courses given in said School shall be arranged by the Department of Education of Delaware College conjointly with the State Board of Education. All persons who are now teaching or who will give satisfactory assurance to the State Board of Education that they intend to teach in the free public schools of this State, shall be admitted into said School, provided their applications are approved by the State Board of Education. Tuition shall be free to all Delaware teachers.

Section 2. The sum of Four Thousand Five Hundred Dollars is hereby appropriated annually out of any moneys in the Treasury of the State of Delaware, for the maintenance of said School. Said sum shall be paid by the State Treasurer to the Treasurer of the Trustees of Delaware College, in each and every year, which sum shall be used exclusively for the purposes of this Act.

Approved March 28, A. D. 1921.

CHAPTER 169

STATE COLLEGE FOR COLORED STUDENTS

AN ACT to amend Chapter 73 of the Revised Code of the State of Delaware, as previously amended, by providing an increased annual appropriation for State College for Colored Students for the years 1921 and 1922.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That Chapter 73 of the Revised Code of the State of Delaware, as the same has been heretofore amended, be and the same is hereby further amended by striking out Section 9 of said Chapter, and inserting in lieu thereof the following, which shall be Section 9 thereof:

2357. Section 9. APPROPRIATION; PURPOSES OF; HOW AND WHEN PAID:—In order to enable the Trustees of the State College for Colored Students to more effectually carry out the purposes contemplated in the various Acts of Congress, relating to the establishment and maintenance of colleges, for instruction in agriculture and the mechanic arts, the sum of Fifteen Thousand Dollars is appropriated for each of the years 1921 and 1922, to The Trustees of State College for Colored Students, to be used in the erection, alteration, extension, repair and general improvement of the buildings, grounds and equipment of said State College for Colored Students, and in providing instruction in necessary branches of learning not included in, and provided for by the aforesaid Acts of Congress.

The said sum of Fifteen Thousand Dollars shall be paid to the Treasurer of the Board of Trustees of the said The Trustees of State College for Colored Students, on the first day of July of each of said years, out of any money not otherwise appropriated.

Approved April 7, A. D. 1921.

CHAPTER 170

STATE COLLEGE FOR COLORED STUDENTS

AN ACT to provide for the maintenance of a summer school at State College for Colored Students for the instruction of teachers in a summer session.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The Trustees of State College for Colored Students shall maintain at State College for Colored Students for a period of not less than six weeks during the summer of each, and every year a school for teachers in which shall be given courses in pedagogy and such other subjects as will give increased efficiency to those who are now teaching or wish to prepare to teach in the free public schools of this State. The courses given in said School shall be arranged by the State Board of Education. All persons who are now teaching or who will give satisfactory assurance to the State Board of Education that they intend to teach in the free public schools of this State, shall be admitted into said School, provided their applications are approved by the State Board of Education. Tuition shall be free to all Delaware teachers.

Section 2. The sum of Five Hundred Dollars (\$500.00) is hereby appropriated annually out of any moneys in the Treasury of the State of Delaware, for the maintenance of said school. Said sum shall be paid by the State Treasurer to the Treasurer of the Trustees of State College for Colored Students, in each and every year, which sum shall be used exclusively for the purposes of this Act.

Approved March 28, A. D. 1921.

TITLE TWELVE

Fish, Oysters and Game

CHAPTER 171

FISH, OYSTERS AND GAME

GAME

AN ACT to amend Chapter 74, of the Revised Code of the State of Delaware, in relation to fish and game.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 74, of the Revised Code of the State of Delaware, as amended by Chapter 177, of Volume 30, and Chapter 51, of Volume 31, of the Laws of Delaware, be and the same is hereby further amended by striking out all of 2375. Sec. 18 and inserting in lieu thereof the following, to be styled 2375. Sec. 18:

2375. Sec. 18. GAME, OPEN SEASONS:—The open seasons during which it shall be lawful to catch or kill any of the following birds and animals shall respectively be as follows:

Quail (bob-white partridges) from November 15th to December 31st, next following; partridge from November 15th to December 31st, next following; reed bird from September 1st to November 1st, next following; rail bird from September 1st to November 1st, next following; wild goose from October 1st to March 15th, next following; brant from October 1st to

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March 15th, next following; summer duck from September 1st to October 31st, next following; other wild duck from October 1st to March 15th, next following; wood-cock from November 15th to December 31st, next following; skunk, mink, otter and muskrat in New Castle, Kent and Sussex Counties from December 1st to March 10th, next following, provided, that in cases of embanked meadow in New Castle County, the date shall be from December 1st to March 20th, next following; fox from October 1st to April 30th, next following; raccoon from October 15th to January 15th, next following; opossum from October 15th to January 15th, next following; fox squirrel, black squirrel and gray squirrel from September 1st to October 15th, next following; hare and rabbit from November 15th to December 31st, next following; frog from May 1st to December 31st, next following; doves from August 1st to December 31st, next following, except that no doves shall be taken, killed or destroyed in New Castle County until after the first day of August, 1925, and then only from August 1st to December 1st, next following. The above open seasons shall include the days defining them. Provided, however, that any person may protect his property and premises from the ravage and depredations of any wild birds or animals protected by law, at any time and in any way; and provided further that landlords and tenants and their respective children may trap rabbits in the open season on their freeholds and lease holds, respectively.

Approved April 11, A. D. 1921.

CHAPTER 172

FISH, OYSTERS AND GAME

GAME

AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware, being an Act for the protection of muskrats and the owners or lessees of muskrat marshes and lands, and providing a penalty for violation thereof.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 74 of the Revised Code of the State of Delaware, be and the same is hereby amended by inserting immediately after paragraph 2388 of said Code and Section 31 of said Chapter the following:

"2388A. Sec. 31A. MUSKRATS; NAILING; UNLAWFUL; PENALTY:—It shall be unlawful to take, capture or kill, at any time, within the State of Delaware, any muskrat or muskrats, by the method commonly known as NAILING; or to dig into, tear down, remove, interfere with, destroy, or damage in any way any muskrat house, nest, den, lair or refuge.

Whoever shall in any way violate any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof before any Justice of the Peace, shall be fined a sum not less than Twenty-five Dollars nor more than One Hundred Dollars for each muskrat house, nest, den, lair or refuge, dug into, torn down, removed, interfered with, destroyed, or damaged in any way, and in default of the payment of the said fine and costs shall be imprisoned in the County Jail in the County wherein the offense is committed for one day for each dollar of the total fine and costs imposed and defaulted.

"2388B. Sec. 31B. MUSKRAT MARSHES AND LAND; TRESPASSING THEREON; PENALTY:—Whoever shall enter into, upon, or

FISH, OYSTERS AND GAME

trespass upon the ways, marshes, lands or premises of another within this State, without first obtaining the consent of the owner or lessee thereof, for the purpose of taking, trapping, capturing or killing any muskrat or muskrats in any manner whatsoever shall be guilty of a misdemeanor, and upon conviction thereof before any Justice of the Peace shall be fined a sum not less than Fifty Dollars nor more than One Hundred Dollars, and the Costs, for each offense, and in default of the payment thereof shall be imprisoned in the County Jail or Workhouse for not more than thirty days. Nothing in this section shall be construed to limit or affect the jurisdiction of Justices of the Peace under Chapter one hundred and twenty-two, or to affect the right of the party injured, to his civil action for damages, as in cases of trespass.

Approved March 15, A. D. 1921.

CHAPTER 173

FISH, OYSTERS AND GAME

COLLECTOR OF OYSTER REVENUE

AN ACT relating to the salary of the Collector of Oyster Revenue and the pay of the officers and crew of the watch boat being a temporary increase of their pay, as provided in Chapter 74 of the Revised Code.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That beginning with the first day of March, 1921, and until the first day of March, 1923, the pay of the officers and crew of the Watch Boat, as provided by Chapter 74 of the Revised Code shall be as follows, to wit:

The Captain shall receive a salary of Eighty-five Dollars per month, the Mate Seventy-five Dollars per month and the other members of the crew Sixty Dollars per month each, to be paid by the State Treasurer, in lieu of the pay provided for the officers and crew of the Watch Boat by the Provisions of Chapter 74, 2438, Section 81 of the Revised Code.

Section 2. And that for the said period the salary of the Collector of Oyster Revenue shall be Eighty Dollars per month payable monthly, in lieu of the salary provided by 2455, Sec. 98 of Chapter 74 of the Revised Code.

Approved April 1, A. D. 1921.

CHAPTER 174

FISH, OYSTERS AND GAME

SNAPPERS

AN ACT to amend Chapter 74 of the Revised Code, relating to fish, oysters and game.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. Amend Chapter 74 of the Revised Code of the State of Delaware by striking out all of 2493, Sec. 136, of said chapter, and by inserting in lieu thereof a new section, to be styled, 2493, Sec. 136, as follows:

2493, Sec. 136. SNAPPERS; CATCHING OR HAVING IN POSSESSION BETWEEN APRIL 15 AND JULY 1 IN SUSSEX COUNTY; MISDEMEANOR; PENALTY: It shall not be lawful for any person or persons in Sussex County to take by any means or device or manner, or have in his, her or their possession at any time between the fifteenth day of April and the first day of July in any year, any turtle commonly known as snappers, and any person or persons who shall catch or take, or have in his, her or their possession any such turtle between the said fifteenth day of April and the first day of July in any year, shall be guilty of a misdemeanor, and upon conviction thereof before any Justice of the Peace in Sussex County, shall be fined not more than five dollars, and for each and every turtle so taken or had in possession shall be fined not more than five dollars.

Approved March 15, A. D. 1921.

CHAPTER 175

FISH, OYSTERS AND GAME

. FISH

AN ACT to amend Article 7, Chapter 74 of the Revised Code of the State of Delaware, as amended by Chapter 203, Volume 28, Laws of Delaware, in relation to the catching and taking of sturgeon in the waters of the Delaware River and Delaware Bay, lying between the States of Delaware and New Jersey.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 2507, Section 150 of Article 7, Chapter 74 of the Revised Code of the State of Delaware, as amended by 2506, Section 149, Chapter 203, Volume 28, Laws of Delaware, be and the same is hereby amended by striking out all of said 2506, Section 149, Volume 28, Laws of Delaware, and inserting in lieu thereof the following:

"2506, Section 149. STURGEON FISHING; SIZE OF MESH; SIZE OF FISH; SATURDAY AFTERNOONS AND SUNDAY FISHING PROHIBITED:—It shall be unlawful for any person to catch and take, or attempt to catch and take, any sturgeon from the waters aforesaid with any device, excepting a seine or gill net, the meshes of which shall not be less than thirteen inches stretched measure while being fished; provided, however, that where a sturgeon not under the size hereinafter prohibited shall become entangled in a shad or other net which is being bona fide used for the catching of shad or other fish, the said sturgeon so caught may be retained. It shall further be unlawful for any person to catch or take, or attempt to catch or take from the waters aforesaid, any sturgeon or mammosse under five feet in length, and if any such sturgeon or mammosse under five feet in length should be caught it shall be immediately returned to the waters uninjured. It shall also be unlawful for any person to catch and take, or attempt to catch and take sturgeon or mammosse from the waters aforesaid in any manner whatever between the hours of two o'clock P. M. of every

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Saturday and twelve o'clock midnight of the Sunday next ensuing. Any person violating any of the provisions of this Section shall, upon conviction thereof, be subject to a fine of one hundred dollars, together with a forfeiture of all nets, boats and other appliances used."

Approved March 28, A. D. 1921.

CHAPTER 176

FISH, OYSTERS AND GAME

FISH

AN ACT to amend Chapter 74, of the Revised Code of the State of Delaware, by providing certain regulations as to the catching of fish in Broadkilk River and its tributaries.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 74, of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out 2555. Sec. 198 thereof, and inserting in lieu thereof the following:

2555. Sec. 198. BROADKILN RIVER AND TRIBUTARIES; CLOSED SEASON FOR SHAD; LAWFUL NETS; VIOLATIONS, MISDEMEANORS; PENALTY; POSSESSION OR SALE OF SHAD CAUGHT OUT OF SEASON, UNLAWFUL; PENALTY:—It shall be unlawful to catch or take shad from the waters of Broadkilk River and its tributaries in any manner whatsoever, between the hours of twelve o'clock noon of every Saturday and sunrise of the Monday next ensuing, and also between the first day of June in each and every year, and the first day of March, thence next ensuing.

It shall be unlawful for any person to catch or take, or attempt to catch or take, shad from the said waters, except by the following nets, namely; haul seines, drift nets and bow nets; the size of the meshes of said seines shall conform to the general law governing the same; provided, that it shall be lawful to set seines across said river for periods of not more than thirty minutes and to use rattlers or other devise for driving fish.

Whoever shall violate the provisions of this Section shall be deemed guilty of a misdemeanor and upon conviction before a justice of the peace, in and for Sussex County, shall be fined

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not less than ten dollars, nor more than twenty-five dollars, for each and every offense so committed.

It shall be unlawful for any person to take in any manner whatever any shad in said river above the place on said river known as "Sand Haul" or to have in his or her possession, or expose for sale any shad caught in the Broadkill River or any of its tributaries within the jurisdiction of this State between the first day of June in any year and the first day of March thence next ensuing, under a penalty of five dollars for each and every shad so had in possession or exposed for sale, to be recovered in an action of debt, with costs of suit, by any person or persons in his or their names, before any Justice of the Peace in the County, or where the defendant resides or lives. And in all prosecutions or proceedings under this Section both parties may be sworn as witnesses. One-half of any penalty imposed shall be paid to the informer.

Approved March 14, A. D. 1921.

TITLE THIRTEEN

Deaf, Dumb, Blind and Insane

CHAPTER 177

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL AT FARNHURST

AN ACT appropriating Three Hundred and Sixty-seven Thousand Two Hundred and Thirty-five Dollars and Forty-eight Cents as a general appropriation to the State Board of Trustees of the Delaware State Hospital at Farnhurst.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the sum of One Hundred and Ninety Thousand Sixty Seven Dollars and Seventy Four Cents is hereby appropriated and authorized to be paid out of the Treasury of this State to The State Board of Trustees of The Delaware State Hospital at Farnhurst, for the purpose of paying the general expenses of the said The State Board of Trustees of the Delaware State Hospital at Farnhurst for the fiscal year 1921.

Section 2. That the sum of One Hundred and Seventy Seven Thousand One Hundred and Sixty Seven Dollars and Seventy Four Cents is hereby appropriated and authorized to be paid out of the Treasury of this State to The State Board of Trustees of the Delaware State Hospital at Farnhurst for the purpose of paying the general expenses of the said The State Board of Trustees of the Delaware State Hospital at Farnhurst for the fiscal year 1922.

Approved April 7, A. D. 1921.

CHAPTER 178

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE
HOSPITAL AT FARNHURST

AN ACT to appropriate Three Hundred and Twenty-one Thousand, Four Hundred and Eighty-five Dollars to the State Board of Trustees of the Delaware State Hospital at Farnhurst for permanent improvement.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the sum of Three Hundred and Twenty One Thousand, Four Hundred and Eighty Five Dollars is hereby appropriated and authorized to be paid out of the Treasury of this State to The State Board of Trustees of The Delaware State Hospital at Farnhurst for the purpose of permanent improvement as follows, to-wit:

New Power Plant Building, Equipment, Steam Distribution and Railroad Siding, Remodeling Heating System, Water Supply and Ground Storage Reservoir, Fire Protection System, Water Supply and Ground Storage Reservoir, Removal of Structural Fire Hazards, Additions and Repairs to Electrical Installation, Plumbing and Sewage Disposal Plant.

Approved April 7, A. D. 1921.

TITLE FOURTEEN

Regulation Concerning Trade

CHAPTER 179

PARTNERSHIPS

LIMITED PARTNERSHIPS

AN ACT to amend Chapter 80 of the Revised Code of the State of Delaware in reference to limited partnerships.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 80 of the Revised Code of the State of Delaware be, and the same is, hereby amended by repealing the whole of Article I thereof, designated therein as 2886. Sec. 1, 2887. Sec. 2, 2888. Sec. 3, 2889. Sec. 4, 2890. Sec. 5, 2891. Sec. 6, 2892. Sec. 7, 2893. Sec. 8, and 2894. Sec. 9, and substituting and inserting in lieu thereof the following new Article I, with the designations hereafter appearing.

PARTNERSHIPS—ARTICLE I

LIMITED PARTNERSHIPS

2886. Sec. 1. **FOR WHAT PURPOSES FORMED:**—Limited partnerships may be formed for the transaction of any business except the business of granting policies of insurance or assuming insurance risks or any business necessarily requiring the exercise of a banking power.

2887. Sec. 2. **GENERAL AND SPECIAL PARTNERS:**—Such part-

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nerships may consist of one or more general partners, liable as such, and one or more persons contributing to the fund of the partnership a specified sum in actual cash payment or the equivalent thereof in property at its then actual cash value, as capital, who shall be special partners and shall not be personally liable for any debts of the partnership, except in the cases hereinafter mentioned.

2888. Sec. 3. HOW FORMED; CERTIFICATE; CONTENTS; HOW EXECUTED, RECORDED AND PUBLISHED:—When such partnership is formed, and at every renewal, or extension thereof, the members thereof shall sign a certificate of the partnership name, and its general object; the name and residence of each partner; the sum each special partner contributes; and the time when the partnership is to commence and end. The certificate shall also be acknowledged before a Notary Public, and recorded in the Recorder's office of every County in which the firm has a separate place of business, and shall be published in at least one newspaper in each County of the State in which the firm has a separate place of business. If a certificate be not so made, recorded and published, the partnership shall be deemed general, and all the members liable accordingly.

2889. Sec. 4. BUSINESS; IN WHOSE NAME AND BY WHOM CONDUCTED; LIST OF MEMBERS TO BE POSTED:—The business shall be conducted in the names of the general partners only unless the limited partnership is formed as the business successor of either a pre-existing general partnership, limited partnership or corporation, in which case the new limited partnership being formed shall have the right to use the name of the pre-existing general partnership or limited partnership to which it succeeds, regardless of whether such name contains the name or names of any one or more of the special partners in the newly formed limited partnership, provided consent to the use of the name of such pre-existing general partnership or limited partnership is given to the newly created limited partnership by all living members of the pre-existing partnership whose names appear in the partnership name of such pre-existing partnership, and such newly created limited partnership shall have the right to use the

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corporate name of any pre-existing corporation to which it succeeds in business provided such corporation shall have been dissolved and further provided that there is nothing in such name to indicate that it is the name of a corporation rather than a partnership, and neither the word "Company" nor the abbreviation "Co." shall be considered as so indicating.

The business of a limited partnership may be conducted and transacted by any of the partners, general or special, indiscriminately, as the business of a general partnership is conducted and transacted, unless the above mentioned certificate shall designate some one or more of the special partners who shall not be authorized to conduct or transact any business for the limited partnership. All partners authorized to conduct or transact the business of the limited partnership shall be liable to account to each other and to the special partners not so authorized, for their management of the business, in the usual manner.

The limited partnership must cause to be placed in a conspicuous place on the outside and in front of the building in which is its principal place of business a sign on which is printed, in legible English, the names in full of all the members of such limited partnership, designating which are general and which are special partners.

2890. Sec. 5. CAPITAL; NOT TO BE WITHDRAWN OR REDUCED; LIABILITY OF SPECIAL PARTNER:—No part of the sum which any special partner contributes to the partnership capital shall be withdrawn by him or paid or transferred to him, in the shape of dividends, profits or otherwise, at any time during the continuance of the partnership; but any such partner may annually receive lawful interest on the sum so contributed by him, if the payment of such interest does not reduce the original amount of such capital; and if, after the payment of such interest, any profits remain to be divided, he may also receive his proportion of such profit. But if by the payment of such interest or profits to any special partner the original partnership capital is reduced, the special partner receiving the same must restore the amount necessary to make good his share of capital, with interest, and

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he becomes liable as a general partner for debts contracted until he returns such amount, to the extent of the amount so withdrawn.

2891. Sec. 6. PREFERENTIAL TRANSFER VOID:—Every transfer of the property of a special partnership, or of a general partner therein, made after or in contemplation of the insolvency of such partnership or general partner, with intent to give a preference to any creditor of such partnership or partner over any other creditor of such partnership, is void against the creditors thereof; and every judgment confessed, lien created, or security given, in like manner and with the like intent, is in like manner void.

2892. Sec. 7. SUITS; IN WHOSE NAME CONDUCTED:—Suits shall be conducted by and against the general partners only; except in the aforesaid cases where special partners are liable generally, or where the special partnership is to be deemed a general partnership, in which cases all may join, or be joined; and excepting also those cases where special partners are held responsible for sums received, or withdrawn, as aforesaid.

2893. Sec. 8. DISSOLUTION; HOW EFFECTED:—No dissolution of such partnership shall take place except by operation of law, before the time stated in the certificate, unless notice thereof be recorded in each place where said certificate was recorded and also be published in the same manner as the certificate.

2894. Sec. 9. PARTNERSHIPS GENERAL, EXCEPT AS PROVIDED IN THIS ARTICLE:—All partnerships not created and conducted in the manner prescribed in the foregoing sections of this Chapter shall be deemed general partnerships and all the members thereof shall be liable as general partners.

Approved March 28, A. D. 1921.

CHAPTER 180

WEIGHTS AND MEASURES

AN ACT to amend Chapter 82, Revised Code of the State of Delaware, weights and Measures. 2933, Section 20.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 82, Revised Code of the State of Delaware, Weights and Measures, be and the same is hereby amended by striking out 2933, Section 20, of said Chapter, and by inserting in lieu thereof, the following:

“2933, Section 20. BERRY CUPS; HAMPERS; BARRELS; PEACH AND SUMMER APPLE BASKETS; STANDARDS OF, USE OF, MEASURES HOW MARKED; WHEN STANDARDS NOT USED; AS A MISDEMEANOR, PENALTY:—

The Standard pint basket or Cup for fruit and berries in this State shall contain a full pint.

The Standard quart basket or Cup for fruit and berries in this State shall contain a full quart.

The Standard Hamper in this State shall hold a full bushel.

The Standard barrel for fruit and produce shall hold eleven pecks.

The Standard peach basket shall hold one-half of a bushel.

For the Summer Apple the Standard basket shall hold one bushel.

The Standard basket for all Potatoes, Tomatoes, Turnips, Onions and Cabbage shall hold five-eighths of a bushel.

WEIGHTS AND MEASURES

In measuring all forms of fruit and produce dry measure shall be used.

Every person or corporation in this State handling, shipping or selling fruit or produce in cups or baskets, hampers, barrels, peach baskets, summer apple baskets, and all Potato, Tomato, Turnip, Onion and Cabbage baskets shall use the Standard cup or basket, hamper, barrel, peach basket, summer apple basket, or Potato, Tomato, Turnip, Onion or Cabbage basket, or if he or it shall use a different size from that herein designated as Standard for any of these fruits or produce, he shall clearly mark upon the outside of such cup or basket, hamper, barrel, peach basket, Summer apple basket or Potato, Tomato, Turnip, Onion or Cabbage basket, in figures not less than one inch in height the exact amount which such cup or basket, hamper, barrel, peach basket, Summer apple basket or Potato, Tomato, Turnip, Onion or Cabbage basket does hold.

Whoever shall violate the provisions of this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not less than Ten Dollars for each offense.

Approved March 30, A. D. 1921.

CHAPTER 181

NAVIGATION AND VESSELS

AN ACT to amend Chapter 84 of the Revised Code of Delaware.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branch concurring therein) :

Section 1. That Chapter 84 of the Revised Code of the State of Delaware, be and the same is hereby amended by repealing

2967—Sec. 19

2968—Sec. 20

2969—Sec. 21

2970—Sec. 22

2971—Sec. 23

2972—Sec. 24

2973—Sec. 25

2974—Sec. 26

2975—Sec. 27

2976—Sec. 28

2977—Sec. 29

2978—Sec. 30

2979—Sec. 31

2980—Sec. 32

and 2981—Sec. 33, of said Chapter.

Approved April 4, A. D. 1921.

TITLE FIFTEEN

Domestic Relations

CHAPTER 182

MARRIAGE

SENATE SUBSTITUTE for Senate Bill No. 62 entitled An Act to amend Chapter 85 of the Revised Code of the State of Delaware relating to marriage.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Sec. 1. That Chapter 85 of the Revised Code of Delaware be and the same is hereby amended by repealing 2992, Section 1 to 3000, Section 9 thereof, inclusive, and by inserting in lieu thereof the following sections to be known as 2992, Sec. 1; 2993, Sec. 2; 2994, Sec. 3; 2995, Sec. 4; 2996, Sec. 5; 2997, Sec. 6; 2998, Sec. 7; 2999, Sec. 8; 3000, Sec. 9.

2992. Sec. 1. PROHIBITED DEGREES; MARRIAGE BETWEEN WHITE PERSON AND A NEGRO OR A MULATTO, OR BETWEEN PAUPERS; MARRIAGE OF EPILEPTICS, PERSONS OF UNSOUND MIND, PERSONS WHO ARE VENEREALLY DISEASED OR WHO ARE SUFFERING FROM OTHER COMMUNICABLE DISEASE, HABITUAL DRUNKARDS, CONFIRMED USERS OF A NARCOTIC DRUG, UNLAWFUL; UNLESS REQUIREMENTS ARE MET MARRIAGE OF DIVORCED PERSONS, PERSONS WHO ARE OR HAVE BEEN PATIENTS IN INSANE ASYLUMS, OR PERSONS WHO ARE ON PROBATION OR PAROLE, UNLAWFUL; MARRIAGE VOID; MISDEMEANOR; PENALTY; STATUS OF CHILDREN OF VOID MARRIAGES; KNOWINGLY ISSUING LICENSE FOR OR SOLEMNIZING SUCH MARRIAGE OR ASSISTING IN SAME; MISDEMEANOR; PENALTY; SUCH MARRIAGE

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SOLEMNIZED OUT OF STATE AND RESIDENCE IN STATE; MISDEMEANOR; PENALTY:—

No person shall marry any of his or her ancestors or descendants, or his or her brother or sister, or uncle or aunt, or niece or nephew, or first cousin. Marriage shall not be contracted between a white person and a negro or mulatto, or between paupers. It shall be unlawful for an epileptic or a person of any degree of unsoundness of mind, or a person who is venereally diseased, or a person who is suffering from any other communicable disease the nature of which is unknown to the other party to the proposed marriage, to marry, nor shall a person marry who is an habitual drunkard or who is a confirmed user of a narcotic drug, nor shall a person marry who has been divorced, unless a certified copy of his divorce decree (last decree if he has been divorced more than once), or a certificate of such divorce from the Clerk of the Court granting the divorce is filed with the Clerk of the Peace to whom he makes application for a marriage license, and unless such person may in other respects lawfully marry, provided that, if such decree or certificate cannot be obtained, the resident judge of the county where such license is desired, or the person designated by the resident judge to grant such certificates as may be accepted under the provisions of this section, may in his discretion, grant a certificate of the facts as stated by the applicant and said certificate may for the purposes of this chapter be accepted in lieu of a certified copy of a divorce decree, nor shall a person marry who is or has been a patient in an insane asylum, unless such person shall first file with the Clerk of the Peace to whom he makes application for a marriage license a certificate signed by the superintendent of the asylum in which such person is or was a patient, stating that such person is fit to marry, and unless such person in other respects may lawfully marry, nor shall a person marry who is on probation or parole under any court or institution, unless such person shall first file with the Clerk of the Peace to whom he makes application for a marriage license, a written consent to his proposed marriage from the chief officer, of such court or institution, or from some one who is appointed by such officer to give such con-

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sent, and unless the applicant in other respects may lawfully marry. Every marriage within the degrees of consanguinity forbidden by this Section, and between any white person and a negro or mulatto, shall be void, and every other marriage forbidden by this Section shall be voidable at the instance of the innocent party, and the guilty party thereto, or if both parties be guilty, then both shall be deemed to have committed a misdemeanor and shall be fined one hundred dollars, and in default of the payment of such fine shall be imprisoned not exceeding thirty days. Children of void or voidable marriages shall be deemed to be legitimate. If any person authorized to issue a marriage license shall knowingly or wilfully issue a license for such marriage, and if any person authorized to solemnize marriage, shall knowingly or wilfully assist in the contracting or the solemnizing of such marriage, he shall be deemed to be guilty of a misdemeanor, and shall be fined one hundred dollars, and in default of the payment of such fine shall be imprisoned not exceeding thirty days. If a marriage prohibited by this section shall be contracted or solemnized outside of the State, when the legal residence of either party to the marriage is in this State, and the parties thereto shall afterwards live and cohabit as husband and wife within the State, they shall each be deemed guilty of a misdemeanor, and shall be punished in the same manner as though the marriage had been contracted in this State.

2993. Sec. 2. HOW SOLEMNIZED; LICENSE NECESSARY; VIOLATION OF SECTION; MISDEMEANOR; PENALTY; REGISTRATION OF PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGES:—

Any ordained minister of the gospel and every minister in charge of a recognized church and the Mayor of the City of Wilmington are authorized to solemnize marriages between such persons as may lawfully enter into the matrimonial relation, provided, that such marriages shall be solemnized in the presence of at least two reputable witnesses who shall sign the certificate of marriage that must be filed with the State Registrar, as well as the two certificates attached to the marriage license. Marriages may also be solemnized or contracted according to the

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forms and usages of any religious society where either of the parties belongs to such religious society, but no marriage shall be solemnized or contracted without the production of a license regularly issued, as hereinafter provided, authorizing such marriage. If any person not authorized by this section shall falsely solemnize a marriage, he shall be deemed to be guilty of a misdemeanor and shall be fined one hundred dollars, and in default of the payment of such fine, shall be imprisoned not exceeding thirty days, and such marriage shall be void, unless it be in other respects lawful and be consummated with the full belief of either of the parties in its validity. All persons authorized by this section to solemnize marriage and all clerks or keepers of records of religious societies, by or before whom marriages may be solemnized, shall report their names and places of residences to the State Registrar as provided in 817, Sec. 82, Chapter 85, Revised Code of Delaware.

2994. Sec. 3. MARRIAGE LICENSES FOR RESIDENTS AND NON-RESIDENTS; WHEN OBTAINED; TO WHOM DELIVERED:—

It shall be necessary for persons intending to be married within this State, if one or both of the parties be residents of this State, to first obtain a marriage license at least twenty-four hours prior to the time the ceremony is to be performed and if both of the parties intending to be married are non-residents of the State, to first obtain a marriage license at least ninety-six hours prior to the time the ceremony is to be performed and to deliver the same to the person who is to officiate, before the proposed marriage can be lawfully performed, provided that if the marriage is to be performed by or before any religious society, institution or organization, the license shall be delivered to the said religious society, institution or organization or any officer thereof who is duly qualified according to the provisions in Section 2 of this Chapter.

2995. Sec. 4. SUPPLIES OF MARRIAGE LICENSES, BOOKS AND OTHER FORMS; FROM WHOM OBTAINED; FEE FOR LICENSE; NO OTHER FEES; EXCEPTIONS; WHO MAY NOT AND WHO MAY ISSUE

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LICENSES TO CERTAIN APPLICANTS; WHEN ISSUANCE OF LICENSE IS PROHIBITED; ESTABLISHING VALIDITY OF PAPERS; FILING; WHEN PUBLIC RECORDS; VIOLATION A MISDEMEANOR; PENALTY:—

All marriage licenses, other forms and books used in connection with the issuance of marriage licenses shall be furnished by the Secretary of State on request of the Clerks of the Peace of the several counties to the said Clerks of the Peace, except that the State Board of Health shall supply post cards to officers authorized to issue marriage licenses, such cards to be used as notices to the Bureau of Vital Statistics of the issuance of each marriage license, and that judges shall supply certificates in whatever form they see fit to such divorced persons as they believe should receive them under the provisions of this chapter, and the superintendents of asylums for the insane shall supply certificates in whatever form they see fit to such persons as they believe should receive them under the provisions of this chapter and except that in a case of an adult person who is on probation or parole under any court or institution the chief officer of such court or institution, or such person as such officer may appoint to give consent to marry, shall supply such consent in whatever form he deems advisable, to such applicants for a marriage license as he believes may properly marry. The Secretary of State shall charge two dollars for each marriage license furnished to Clerks of the Peace. He shall furnish other forms and books without charge to Clerks of the Peace. Marriage licenses, books and forms shall be as prescribed in Sections 4, 5, 6, and 7 of this chapter. Each page of the Marriage Record Books for the Use of Clerks of the Peace shall be numbered serially at the time of printing, and pages of the Marriage Record Books for the Use of Justices of the Peace shall be numbered in duplicate serially and shall be so bound that pages with duplicate serial numbers shall be next to each other, and every second page of the duplicate pages shall be perforated for easy removal. Consent Forms shall be of two colors; buff colored for females and light blue for males. Justices of the Peace shall have the privilege of procuring from the Clerk of the Peace in the county

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in which said Justices of the Peace are residents, marriage licenses at a cost of two dollars and fifty cents each. Marriage Record Books for the use of Justices of the Peace shall be issued, without charge, to them through the Clerks of the Peace of the proper counties. Clerks of the Peace and Justices of the Peace shall sell the marriage licenses for not more than three dollars each. No charge shall be made for investigation to establish the validity of any papers required of certain applicants for marriage licenses under the provisions of this chapter, nor shall any person in this State make any charge for the execution of any papers required under the provisions of this Chapter, except that this shall not be construed to prohibit charge for the execution of any affidavits that are required under the provisions of this chapter, and except that charge may be made for the marriage license as provided in this chapter. No Justice of the Peace in the State of Delaware may sell a marriage license to applicants when both parties to the proposed marriage are non-residents of the State or when either applicant is a divorced person, or is or has been a patient of any insane asylum or when the applicant is on probation or parole under any court or institution or when the applicant is a minor, but said parties shall make application to the Clerks of the Peace of the several counties of this State or to the deputies of such Clerks of the Peace regularly appointed and qualified. No marriage license shall be issued by a Clerk of the Peace or by a Justice of the Peace of this State when either of the parties applying for license to marry, at the time of making the application is under the influence of intoxicating liquor or a narcotic drug, or if papers as required in Sections 1, 6 and 7 of this chapter are not delivered, or if the issuing officer believes there is any legal impediment, as defined in this chapter, to the marriage of such parties. Clerks of the Peace shall examine and satisfy themselves of the validity of papers submitted to them by divorced persons, past or present patients of insane asylums, persons on probation or parole and minors, and shall file such papers in the office of the County Recorder of the appropriate county. Such papers shall constitute a part of the application for marriage license, but shall be open to inspec-

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tion of the public only upon order of the resident judge of the proper county, or such person as the Judge may appoint to give such orders. Any Clerk of the Peace or deputy of such or any Justice of the Peace, who shall knowingly or wilfully act in violation of the provisions of this chapter, shall be deemed guilty of a misdemeanor and shall be fined one hundred dollars and in default of payment of such fine shall be imprisoned not exceeding thirty days.

2996. Sec. 5. MARRIAGE LICENSES; FORM; CERTIFICATE OF ISSUANCE; FORM; CERTIFICATES OF MARRIAGE; FORM; HOW DISPOSED OF; DUTY OF CLERK OF THE PEACE; MARRIAGE RECORD BOOK OF THE CLERK OF THE PEACE; TO BE EVIDENCE; ALTERING CERTIFICATE; FAILURE OF PERSON OFFICIATING TO MAKE RETURN TO THE CLERK OF THE PEACE; MISDEMEANOR; PENALTY; STUB OF MARRIAGE LICENSE; FORM; USE; PUBLIC RECORD; NUMBERS ON LICENSE, STUB AND APPLICATION TO CORRESPOND:—

A marriage license under this chapter shall be in the following form:

Number
State of Delaware, SS.

To any minister of the gospel or other person authorized by the Laws of the State of Delaware to solemnize marriage. You are hereby authorized to join in the holy bonds of matrimony, according to the Laws of the State of Delaware
.....of andof
but not before day of A. D. 192....., at
.....o'clock.....M.

Witness Esquire, Governor, of the said State,
at Dover, the day of 192.....
By the Governor.

.....
.....
Secretary of State

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On the back of each license, shall be the following:

This license issued atin the County of
.....this day of
A. D. 192.....ato'clockM.

The parties to whom this license is issued shall not marry
before day of A. D. 192.... at..
..... o'clock M.

.....
.....of the Peace

There shall be attached to said license two certificates in the following form:

I hereby certify that on thisday of
A. D. 192....., at in the County of
at the hour of o'clock....M.....
 of andof,
were by me united in the holy bonds of matrimony in
 accordance with the laws of the State of Delaware.

WITNESSES

.....

Registered Celebrant

.....

(Name of Church or Society
you represent).

One of said certificates shall be given to the *bridge at the time of her marriage and the other shall, within four days, be returned to the Clerk of the Peace of the County in which the license was issued, by the person officiating at said marriage; the said Clerk of the Peace shall immediately enter in the Marriage Record Book the date of said marriage and the name of

*So enrolled.

the person performing said ceremony. The said Marriage Record Book so kept shall be a public record, and shall be open for inspection to the public, and shall be admitted as evidence of the facts therein contained in any Court of record. Where a marriage is contracted according to the forms and usages of any religious society, the wording of the certificates may be altered in accordance with the facts of the case and the forms and usages of such religious society. If any person officiating at said marriage shall fail to return to the office of the Clerk of the Peace the certificate within four days, as hereinbefore provided, he shall be deemed to be guilty of a misdemeanor and shall be fined twenty-five dollars. A detachable stub shall head the marriage license. It shall be in the following form:

Issued to	Residence
Issued to	Residence
Date of Issue	Hour of Issue
	o'clockM.
Amount Paid	Number

The number on the marriage license and on the stub shall be filled in by the issuing officer and shall be the same number as that appearing on the corresponding application in the Marriage Record Book. Any person authorized to issue marriage licenses shall immediately note the issuance of a license on the corresponding stub by filling in all entry blanks, such stub, so filled in, shall be kept by the issuing officer in his office, and such stub shall be a public record open for the inspection to the public.

2997. Sec. 6. BOTH PARTIES TO APPEAR FOR APPLICATION; EXCEPTION; APPLICATION UNDER OATH OR AFFIRMATION; FORM OF APPLICATION IN MARRIAGE RECORD BOOKS; GUARANTOR OF UNKNOWN RESIDENTS; ENTRY ON BACK OF LICENSE; NOTICES TO THE BUREAU OF VITAL STATISTICS; DUTY OF JUSTICES OF THE PEACE IN REGARD TO DUPLICATE PAGES OF THE RECORD BOOK; FAILURE TO PERFORM DUTIES: MISDEMEANOR: PENALTY:—

MARRIAGE

Before any marriage license shall be issued by any person authorized to issue the same as provided in this chapter, the parties desiring to intermarry shall together appear before him and he shall examine both parties upon oath, or affirmation, in the presence and hearing of each other, according to the following form, to which the parties applying for the said license shall subscribe their names and the said license shall be issued only after it has been made to appear that no legal impediment to the proposed marriage exists; provided that in the case of critical illness of one of the parties desiring to intermarry, the physician attending such party may appear for him, and make application for a marriage license for him, if such physician first makes affidavit and delivers it to the issuing officer stating that in the opinion of said physician the party for whom he is acting, is at the point of death and that he may lawfully marry, and provided that the application for marriage license is altered to show that said physician acted as proxy and provided that the affidavit of said physician is filed with the application he makes:—

MARRIAGE LICENSE APPLICATION

State of Delaware }
 County } ss No.

BE IT REMEMBERED, That on this.....day
 of A. D. 192...., personally appeared
andand made
 application for a marriage license, and each party in the pres-
 ence and hearing of the other, being first duly sworn, (affirmed),
 according to law, did depose and say that,

Male Female

Full name

Address

Ageyears years

Color

Names and Addresses of Mother and Father:

MARRIAGE

Sworn and Subscribed before me the day and year first
Affirmed

above written.

.....

Issuing Officer
(Sign name and title)

The portion of this sheet beginning here is to be filled in only in cases of applicants who claim to be residents of Delaware, neither of whom is known personally to the issuing officer.

The above form is the form to be used as pages for the Marriage Record Books of Clerks of the Peace and Justices of the Peace. In the case of applicants for a marriage license, who claim to be residents of the State, if neither of them is personally known to the marriage license issuing officer as a resident of the State, at least one of such applicants must be identified as a resident of the State to the satisfaction of the issuing officer by a reputable guarantor, who under oath shall fill in the proper portion on the page in the Marriage Record Book and shall duly sign it. In every case the officer issuing the license shall mark on the back thereof in the blanks for that purpose the place and precise time of issue and the earliest time when the holders of the license may marry, and the issuing officer shall sign his name below. The issuing officer shall within twenty-four hours of issuing a marriage license, send a post card notice of such license to the Bureau of Vital Statistics of the State Board of Health. If the issuing officer be a Justice of the Peace, he shall within twenty-four hours of the issuance of each license send the corresponding removable page of the Marriage Record Book, on which page shall be a carbon copy of the application executed on the preceding page, to the Clerk of the Peace in which *such Justice of the Peace is resident. If any Clerk of the Peace or Justice of the Peace shall fail to perform the duties required by this section, he shall be deemed to be guilty of a misdemeanor and shall be fined one hundred dollars.

*So enrolled.

MARRIAGE

2998. Sec. 7. MARRIAGE OF MINORS; CONSENT OF PARENTS OR A PARENT OF GUARDIANS OR GUARDIAN OR A CURATOR REQUIRED; CONSENT FORMS; CERTIFICATE OF:—

No male under the age of eighteen shall marry. No female under the age of sixteen shall marry. If any male applicant for a license to marry be a minor under the age of twenty-one years, or if any such applicant be a female under the age of eighteen years, such license shall not be issued unless the parents or a parent or the legal guardians or guardian, or curator of said minor, if there be any, or if they be not wanting, and if there be none, or if such be wanting, then the Judge of the Juvenile Court of Wilmington, or the person such Judge may appoint to sign consent forms, if the minor in question resides in Wilmington; or the Resident Judge of the County, where the minor in question resides, if he is not a resident of Wilmington, or the person such Judge may appoint to sign consent forms, shall first certify under their hands and seals their consent to the marriage of said minor. Such enumerated individuals are hereby empowered to sign consent forms for minors, according to the provisions of this Chapter; such forms shall be signed in the presence of two reputable witnesses, except that witnesses shall not be required when a form is signed by any Judge authorized by this section to sign consent forms for minors. Consent forms shall be issued by the Marriage License Issuing Officers to minor applicants and said forms shall be filled in only by those authorized by the provisions of this Section so to do. Consent forms shall be in the following form:—

CONSENT FORM

FOR MALES:

	Father	
We	Guardian	Mother
I	Curator	

of.....do hereby certify that he is a minor under the age of twenty-one year, but not under the age of eighteen years and that we do hereby consent to have a mar-

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riage license issued for him to marry
and that We do hereby certify that this form is filled in and

I

signed in conformity with the portion of the Laws of Delaware
as printed on the back of this form.

Witnesshand and seal thisday
ofA. D. 192...

Signed and sealed in the presence of

..... (SEAL)
..... (SEAL)

CONSENT FORM

FOR FEMALES:

	Father	
We	Guardian	Mother
I	Curator	

ofdo hereby certify that she is a minor
under the age of eighteen years, but not under the age of six-
teen years, and that We do hereby consent to have a marriage

I

license issued for her to marry, and that
We

I do hereby certify that this form is filled in and signed in
conformity with the portion of the Laws of Delaware as printed
on the back of this form.

Witnesshand and seal thisday of
.....A. D. 192...

Signed and sealed in the presence of

..... (SEAL)
..... (SEAL)

The back of the consent form shall have printed thereon the
following, which shall be construed to be a part of the law of
this chapter:—If the parents of the minor applying for a license
to marry are living together, before such license may be issued,
a consent form signed by both such parents must be delivered to

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the issuing officer. If for any reason, only one parent can sign, then he must so do, and attach to the consent form he signs, an affidavit giving the reason why the other parent cannot sign said form and stating it is the belief of the parent signing said form that the other parent would sign said form if it were possible for him to so do. If the parents of the minor applying for a license to marry are not living together, but are the joint legal guardians of said minor, before such license may be issued, a consent form signed by both parents must be delivered to the issuing officer, provided that if for any reason, only one such parent can sign, he must so do and attach to the consent form he signs an affidavit giving the reason why the other parent cannot sign said form, and stating that it is the belief of the parent signing said form that the other parent would sign said form if it were possible for him to so do. If the parents of a minor applying for a license to marry are not the joint legal guardians of the minor, before such license may be issued, a consent form signed by the parent who is the sole guardian of said minor, using the word "guardian" on the form as well as the word "mother" or "father" must be delivered to the issuing officer. The consent form so signed must be accompanied by an affidavit stating that the parent signing said form is the sole legal guardian of the minor in question. If the minor applying for license to marry has only one living parent, before such license to marry may be issued, a consent form signed by such parent must be delivered to the issuing officer accompanied by an affidavit of the parent stating that he is the only living parent of the minor desiring license to marry. If the minor applying for license to marry has no parents, but has legal guardians or guardian, before such marriage license may be issued, a consent form signed by said guardians or guardian must be delivered to the issuing officer. The consent form so signed must be accompanied by an affidavit or affidavits stating that the persons or person signing said form are or is the legal guardians or guardian of said minor. If the minor applying for license to marry is on probation or parole, under any Court or institution before such license to marry may be issued, a consent form signed as curator by the chief officer of such court or institution, or by such person as such officer may appoint to sign consent forms, must be delivered

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to the issuing officer. If a minor applying for a license to marry has neither parents or parent, nor legal guardians or guardian, or if such persons cannot sign consent forms, or if such persons be wanting, and if the said minor is not on probation or parole, before such license may be issued, a consent form for such minor, if he be a resident of Wilmington, signed by the Judge of the Juvenile Court, as Curator, or by such person as the Judge of the Juvenile Court may appoint to sign consent forms, or if such minor be a resident of New Castle County outside the City of Wilmington, or if he be a resident of Kent or Sussex County, a consent form, signed by the resident judge of the county where he resides, as curator, or by such person as said resident judge may appoint to sign consent forms, must be delivered to the issuing officer, provided that the age and consent limitations imposed by this Section shall not be a bar to marriage between persons under the age disabilities fixed by this Chapter in cases where the parties desiring to intermarry shall acknowledge under oath before the officer to whom the application for license to marry shall be made that they are the parents or the prospective parents of a child, but every application of such persons for a license to marry shall have endorsed thereon the reason for issuing said license.

2999. Sec. 8. APPLICATION FOR LICENSE; SWORN FALSE STATEMENTS UPON; PERJURY; EXECUTING PAPERS FALSELY; MISDEMEANOR PENALTY; A PERSON ISSUING LICENSE MAY ADMINISTER OATHS:—

If any person applying for a license under this chapter shall knowingly make false answer to any of the inquiries of the person issuing the license, after having been sworn or affirmed to answer truly, he or she shall be deemed to be guilty of perjury, and if any person executing a paper or papers under the provisions of this chapter shall execute it or them falsely, he shall be deemed to be guilty of a misdemeanor and shall upon conviction thereof, be subject to such penalties as shall be imposed by the Court in its discretion. Every person authorized by this chapter to issue licenses is empowered to administer oaths or affirmations to the parties applying for the license.

MARRIAGE

3000. Sec. 9. PERFORMANCE OF MARRIAGE CEREMONY IN VIOLATION OF CHAPTER; MISDEMEANOR; PENALTY; FALSE CERTIFICATE OF MARRIAGES; MISDEMEANOR; PENALTY; COMMON LAW MARRIAGES OR MARRIAGES OTHERWISE LAWFUL NOT AFFECTED BY CHAPTER:—

If any person or persons or any religious society, institution or organization having authority to solemnize marriages, shall perform any marriage ceremony between parties without the presentation of a license therefor, obtained in accordance with the provisions of this chapter, or shall perform the same prior to the expiration of ninety-six hours from the time of the issuance of the license, when both parties are non-residents of the State, or prior to the expiration of twenty-four hours from the time of the issuance of the license, when one or both parties are residents of the State, he or they shall be deemed guilty of a misdemeanor, and shall upon conviction, be sentenced to imprisonment for a term not exceeding six months, or to a fine not exceeding five hundred dollars or both, at the discretion of the Court. Any person, religious society, institution or organization, authorized to perform the ceremony of marriage, who shall make any false certificate of marriage, shall be deemed to be guilty of a misdemeanor and shall be fined one hundred dollars. Nothing in this chapter shall be deemed or taken to render any common law or other marriage, otherwise lawful, invalid, by reason of the failure to take out a license as is herein provided.

Approved April 29, A. D. 1921.

CHAPTER 183

PARENTS AND CHILDREN

MOTHERS PENSION COMMISSION

AN ACT to amend Chapter 88, of the Revised Statutes of the State of Delaware, and Acts amendatory thereof, by making provision for aid in the maintenance, support and education of children in certain cases.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That Chapter 88 of the Revised Statutes of the State of Delaware be, and the same is hereby amended by repealing Section 11 A of said Chapter, being Code Section 3071 A, and inserting in lieu thereof the following, namely:

3071 A. Sec. 11 A. The administration of this Section shall lie in the hands of a Mothers' Pension Commission. Said Commission shall consist of nine women, three from each County, who shall serve without pay, except for traveling and administrative expenses. During the month of June, Nineteen Hundred and Seventeen, the Governor shall appoint said Commission as follows:

One from each County for a term of one year, one from each County for a term of two years, and one from each County for a term of three years. The term of office, after the first appointments made hereunder, shall be for three years, and annually, during the month of June, the Governor shall appoint successors to fill the vacancies caused by the expirations of the terms of office. In case of vacancy caused by death, resignation, refusal to serve, or otherwise, the Governor shall make appointments to fill such vacancy or vacancies for the balance of the unexpired term; provided, however, that not more than three Commissioners shall reside in any one County.

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On petition by any Trustee of the Poor, by a member of the Municipal Council of any incorporated City or Town in this State or by a friend or relative of the mother falling within the class hereinafter specified, the Mothers' Pension Commission of Delaware may make an Order for aid in the maintenance, support and education of the child or children of said mother as hereinafter provided.

Any widowed or abandoned mother of a child or children under fourteen years of age who is unable, without aid, to support, maintain and educate such child or children, or any mother of such child or children whose husband is permanently, either physically or mentally, unable, without aid, to support, maintain and educate such child or children, or any mother of such child or children, whose husband has been sentenced to a term in prison of not less than six months, and who is unable, without aid, to support, maintain and educate such child or children, shall be deemed to be within the class described by this Section. The term "Mother" as used in this Section shall include any woman standing in loco parentis to any child or children under fourteen years of age.

Upon the filing of any petition as aforesaid, stating the facts and circumstances relative to the financial condition of any such mother, and praying the said Mothers' Pension Commission to make an Order as aforesaid, the said Mothers' Pension Commission shall report the case to the members of the Commission of the County wherein the mother resides; and within thirty days of the receipt of such notice, the members of the Commission of the county shall make or cause to be made, by a trained woman investigator, an investigation as to the following points:

(a) That the applicant for aid is a widowed or abandoned mother of a child or children under fourteen years of age, or a mother of such child or children whose husband has been sentenced to a term in prison of not less than six months, and that she is, in either such case, unable without aid to support, main-

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tain and educate such child or children; or that the applicant is a mother of such child or children, whose husband is physically or mentally unable without aid to maintain, support and educate such child or children.

(b) That the mother is fit to bring up her child or children.

(c) That aid is necessary to enable her to bring up her child or children and to maintain a suitable home for them.

(d) That the child, or children, if physically and mentally able, attend school and have a satisfactory record from the teacher.

(e) That the mother has been a continuous resident for a period of three years, of the State.

If the Mothers' Pension Commission, upon receipt of the written report of the investigation, shall deem it for the best interests of the family that the mother receive aid, the said Mothers' Pension Commission shall pay to the mother or to such person as the Mothers' Pension Commission may designate, such sum as the said Mothers' Pension Commission shall deem proper to be used in aid of the maintenance, support and education of such child or children, such payments to continue during such time as the said Mothers' Pension Commission shall specify; provided that no payment shall be made for the support of any child beyond the time when the law will permit the child to secure a general employment certificate. Such payments shall, in no case, exceed Twelve Dollars (\$12.00) a month for a single child and Eight Dollars (\$8.00) for each additional child in the same family, except for a limited period in case of sickness, or in case of some unusual condition requiring an increase thereof. The said Mothers' Pension Commission may, at the recommendation of the members of the Commission of the County, vary the terms of such payments by directing the furnishing of food, clothing, or supplies, instead of the payment of money to the

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person aforesaid for the use and benefit of such child or children.

After the award of aid, the members of the Commission of the County shall cause the family to be visited at least once in two months to see that the mother is properly caring for the child or children; that they are sufficiently clothed and fed, that they attend school regularly, and that they are receiving religious instruction.

The members of the Commission of the County shall make a report each three months to the Mothers' Pension Commission, which shall show:

(a) The number of families receiving aid.

(b) The number of visits made to each family, together with the number of children in each family, the number receiving aid, the amount paid for each child, and, in each case a recommendation with regard to the continuance of aid, and any other information the said Commission may desire.

It shall be the duty of the Mothers' Pension Commission to make a report each three months to the Levy Court of each County, of all warrants drawn under this section on said County Treasurer during the preceding three months.

The amount paid to a beneficiary under this section shall be on a warrant drawn by the Mothers' Pension Commission or authorized agent thereof, on the County Treasurer of the County in which such beneficiary resides. And the said County Treasurer is hereby authorized and directed to pay the said warrants on the approval of the Comptroller of said County out of any moneys he may have belonging to said County not otherwise appropriated.

The traveling and administrative expenses of the Mothers' Pension Commission shall be paid on warrants drawn by the

MOTHERS' PENSION COMMISSION

Mothers' Pension Commission, or authorized agent thereof, on the State Treasurer, and the said State Treasurer is hereby authorized and directed to pay said warrants on the approval of the State Auditor, from any moneys he may have belonging to the State and not otherwise appropriated; provided, however, that the total amount of the traveling and administrative expenses of the said Mothers' Pension Commission shall not exceed five thousand dollars (\$5000.00) in any one year.

On the first day of every calendar month hereafter, the County Treasurer of each County shall certify under oath, in duplicate, to the Secretary of the State, and to the State Treasurer, the amount paid out by such County during the preceding month under this Section, and the State Treasurer thereupon shall pay to the County Treasurer of the said County, a sum equal to one-half of the amount paid out by such County; provided, however, that the amount paid by the State in any one year shall not exceed the sum of Twelve Thousand Dollars (\$12,000.00) to New Castle County, of Five Thousand Dollars (\$5,000.00) to Kent County, and of Eight Thousand Dollars (\$8,000.00) to Sussex County.

That for the purpose of this Section the sum of Thirty Thousand Dollars (\$30,000.00) shall be deemed and taken to be appropriated annually, beginning with the year nineteen twenty-one, out of any moneys in the State Treasury, not otherwise appropriated.

Approved April 14, A. D. 1921.

CHAPTER 184

PARENTS AND CHILDREN

ILLEGITIMATE CHILDREN

AN ACT to amend Chapter 88 of the Revised Code of the State of Delaware, in relation to illegitimate children.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 88 of the Revised Code be and the same is hereby amended by repealing paragraph 3072. Section 12 and inserting in lieu thereof the following to be known as 3072. Section 12.

3072. Section 12. The father of an illegitimate child shall be bound to pay the trustees of the poor of any county in the State all charges they shall incur, for maintenance, or otherwise, of such child whilst under 16 years of age. They may recover the same as any other debt; or by means of any bond of indemnity, given to secure them, under the provisions of Section 17 of this Chapter.

Section 2. That Chapter 88 of the Revised Code be and the same is hereby amended by repealing paragraph 3073. Section 13 and inserting in lieu thereof the following to be known as 3073. Section 13.

3073. Section 13. Proceedings may be instituted upon complaint by the woman who has been delivered of an illegitimate, or who is pregnant, by the trustees of the poor, or by any other person upon oath before a Justice of the Peace, and thereupon the Justice shall issue a warrant to any Constable for the arrest of the person so charged.

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The proceeding shall be in the name of the State, and the warrant of arrest in form as in other criminal cases. An offense under Sections 12 to 28, inclusive, of this Chapter, shall be held to have been committed in any County in which such woman or child may be at the time such complaint is made. It shall be the duty of the State, in cases in which application is properly made by the officers responsible for the execution of the law to provide the funds necessary for the extraditing of any person charged with an offense under said Sections, who has gone to another State.

Section 3. That Chapter 88 of the Revised Code be and the same is hereby amended by repealing paragraph 3077. Section 17 and inserting in lieu thereof the following to be known as 3077. Section 17.

3077. Section 17. If it be determined that the person charged is the father of the child, the Justice shall have the power to make an order, which shall be subject to change by the Justice or his successor from time to time, as circumstances may require, directing the defendant to pay for the maintenance of the child, a certain sum periodically to the mother or other person keeping the child until the child is sixteen years old which sum shall be not less than Fifteen Dollars nor more than Forty Dollars per month. In addition thereto the Justice hearing the case shall make an order requiring the defendant to pay the mother of the child a sum certain for lying in expenses not less than Twenty-five nor more than Forty Dollars, and also a certain sum to the physician who attended the mother during her delivery not less than Twenty nor more than Thirty Dollars. All orders made shall be in the discretion of the Justice, having regard to the circumstances and to the financial ability or earning power of the defendant. The defendant shall be released from custody on probation upon his entering into a recognizance with surety in such sum as the Justice may order and approve that the orders of the Justice shall be carried out. The term of the recognizance shall be for two years at which time the defendant shall be required to appear and to enter into a new

ILLEGITIMATE CHILDREN

recognizance, upon the same terms and conditions as the expiring recognizance. If the defendant does not appear, the Justice, after reasonable notice to the principal or surety, shall declare the recognizance forfeited and shall so endorse the forfeiture with date, upon the recognizance and send it to the Attorney General for collection. The condition of any recognizance shall be such that if the defendant shall make his personal appearance before the said Justice or his successor whenever ordered so to do, and shall further comply with the terms of such order of support or of any subsequent modification thereof, then such recognizance shall be void, otherwise in full force and effect.

Section 4. That Chapter 88 of the Revised Code be and the same is hereby amended by repealing paragraph 3079. Section 19 and inserting in lieu thereof the following to be known as 3079. Section 19.

3079. Section 19. Any Justice taking such bond of indemnity shall endorse his approval and shall forthwith transmit said bond to the trustees of the poor of his county and shall immediately notify the State Board of Charities of the giving of such bond. If he neglects this duty, he shall be deemed guilty of a misdemeanor and shall be fined not exceeding fifty dollars.

Section 5. That Chapter 88 of the Revised Code be and the same is hereby amended by repealing paragraph 3085. Section 25 and inserting in lieu thereof the following to be known as 3085. Section 25.

3085. Section 25. In illegitimacy cases the mother shall be a competent witness, unless otherwise legally incompetent; and if she be dead at the time of hearing, or trial, her declaration made in the time of travail, and persevered in as her dying declaration, shall be evidence.

And, where in any proceeding against the father, it appears, by the return of the constable, that he cannot be found, the justice may take the mother's deposition in his absence, and

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it shall be received in evidence in all cases, if her attendance cannot be procured.

Section 6. That Chapter 88 of the Revised Code be and the same is hereby amended by repealing paragraph 3086. Section 26 and inserting in lieu thereof the following, to be known as 3086. Section 26.

3086. Section 26. The costs of proceedings in illegitimacy cases shall be paid by the father, if the paternity is established; otherwise by the County.

Section 7. That Chapter 88 of the Revised Code be amended by striking out 3087. Section 27, and inserting in lieu thereof the following to be known as 3087. Section 27.

3087. Section 27. A child conceived out of wedlock shall be legitimate if the parents shall intermarry before the birth of the child or if they shall intermarry after adjudication or acknowledgment of parentage after the birth of the child, or upon acknowledgement of the paternity made in writing by the parents, if both be living or by the father if the mother be not living and filed in the Prothonotary's office of any County of the State. Any child legitimated solely by such acknowledgement shall not inherit from the father under the inheritance laws of this State. When an illegitimate person dies intestate and without lawful issue, his property, real and personal, if any such there be, shall pass, and belong to the mother, if living, and in case of her death, to her heirs, subject always to the payment of debts and demands against such illegitimate person or person, and to expenses of administration.

Approved March 31, A. D. 1921.

CHAPTER 185

MASTERS, APPRENTICES AND EMPLOYEES

APPRENTICES

AN ACT to amend Chapter 90 of the Revised Code of the State of Delaware in relation to apprentices.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Article 1 of Chapter 90 of the Revised Code of Delaware be and the same is hereby amended by repealing 3101, Section 1 to 3122, Section 22 thereof, inclusive and by inserting in lieu thereof the following sections to be styled 3101, Section 1; 3102, Section 2.

3101, Sec. 1. No Court, organization, institution, individual or corporation may bind any minor to any organization, institution, individual or corporation in any manner whatsoever. Provided that nothing herein shall in any manner interfere with the power and authority of any Court to commit any minor to the custody and care of any organization, institution, individual or corporation.

3102, Sec. 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 28, A. D. 1921.

CHAPTER 186

THE DELAWARE WORKMEN'S COMPENSATION LAW

AN ACT to amend an Act known and cited as "The Delaware Workmen's Compensation Law of 1917," being Chapter 90 of the Revised Code of Delaware as amended by Chapter 233, Volume 29, Laws of Delaware, and Chapter 203, Volume 30, Laws of Delaware, by providing for certain increases in medical and surgical fees and hospital services; for more definite procedure in connection with certain hearings; for changing the method of ascertaining the amount of compensation payable in certain cases; for defining certain terms; and for other purposes.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, and Chapter 203, Volume 30, Laws of Delaware, be and the same is hereby further amended by the repeal of 3193 h. Section 101, and the insertion in lieu thereof of the following, to be styled 3193 h. Section 101: .

3193 h. Section 101: (a) No compensation shall be paid for any injury which does not incapacitate the employee for a period of at least two weeks from earning full wages, but if incapacity extends beyond the period of two weeks compensation shall begin on the fifteenth day after such incapacity, provided, however, that if such incapacity continues for four weeks, or longer, such compensation shall be computed from the date of incapacity.

(b) During the first thirty days after the injury, the employer shall furnish reasonable surgical, medical and hospital services, medicines and supplies, as and when needed, unless the employee refuse to allow them to be furnished by the employer. The cost of such services, medicines, and supplies shall not exceed One Hundred Dollars.

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If the employer shall, upon application made to him, refuse to furnish reasonable surgical, medical and hospital services, medicines and supplies, the employee may procure the same, and shall receive from the employer the reasonable cost thereof within the above limitations.

(c) Upon application made to the Industrial Accident Board by the injured employee or some one on his behalf, the Board may, in its discretion, require the employer to furnish additional surgical, medical, and hospital services, medicines and supplies, as and when needed, for such further period as it shall deem right and proper. The charges for such additional surgical, medical, and hospital services, medicines and supplies, shall not exceed the rates regularly charged to other individuals for like services and supplies; provided, however, the Industrial Accident Board shall at all times have jurisdiction to determine, and shall determine, the character of services and supplies to be furnished.

(d) If any person, firm, or corporation charged with the payment of the above mentioned surgical, medical, and hospital services, medicines and supplies, and the person, firm, or corporation to whom the same are due and payable, fail to reach an agreement in regard to said charges, either party may notify the Industrial Accident Board of the facts and the said Board shall thereupon, after notice of the time and place of hearing sent by registered mail to all parties in interest, hear and determine the matter and notify such parties of its conclusions.

(e) If the employee shall refuse reasonable surgical, medical, and hospital services, medicines and supplies tendered to him by his employer, he shall forfeit all right to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal.

Section 2. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, and Chapter 203, Volume 30, Laws of Delaware, be

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and the same is hereby further amended by the repeal of subsection (c) of 3193 j. Section 103, and the insertion in lieu thereof of the following:

(c) For all permanent injuries of the following classes, the compensation, regardless of the earning power of such injured employee after such injury, shall be as follows:

For the loss of a hand, fifty per centum of wages during one hundred and fifty-eight weeks;

For the loss of an arm, fifty per centum of wages during one hundred and ninety-four weeks;

For the loss of a foot, fifty per centum of wages during one hundred and thirty-five weeks;

For the loss of a leg, fifty per centum of wages during one hundred and ninety-four weeks;

For the loss of an eye, fifty per centum of wages during one hundred and thirteen weeks;

For the loss of two or more of such members, not constituting total disability, fifty per centum of wages during the aggregate of the period specified for each;

For the loss of a thumb, fifty per centum of wages during sixty weeks;

For the loss of a first finger, commonly called index finger, fifty per centum of wages during thirty-five weeks;

For the loss of a second finger, fifty per centum of wages during thirty weeks;

For the loss of a third finger, fifty per centum of wages during twenty weeks;

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For the loss of a fourth finger, commonly called little finger, fifty per centum of wages during fifteen weeks.

The loss of the first phalange of the thumb or of any finger shall be considered to be equal to the loss of one-half of such thumb or finger and compensation shall be for one-half of the period, and compensation for the loss of one-half of the first phalange shall be for one fourth of the period.

The loss of more than one phalange shall be considered as the loss of the entire finger or thumb, providing, however, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

For the loss of a great toe, fifty per centum of wages during thirty weeks;

For the loss of one of the toes, other than a great toe, fifty per centum of wages during ten weeks;

The loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe and compensation shall be for one half of the period.

The loss of more than one phalange shall be considered as the loss of the entire toe.

For the loss of a fractional part of the vision of an eye, the compensation shall be for such percentage of the total number of weeks allowed for the total loss of the use of an eye under this sub-section (c) as the loss suffered bears to the total loss of an eye.

In all other cases in this class, or when the usefulness of a member or any physical function is permanently impaired, the compensation shall bear such relation to the amount stated in

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the above schedule as the disabilities bear to those produced by the injuries named in the schedule.

Unless the Board shall otherwise determine from the facts, the loss of both hands, or both arms, or both feet, or both legs, or both eyes, or an injury to the spine resulting in permanent and complete paralysis of both legs, or both arms, or of one leg and one arm, or an injury to the skull resulting in incurable imbecility or insanity, shall constitute total disability for work, to be compensated according to the provisions of sub-section (a) of this section. Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand, and amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot. Amputation at or above the elbow shall be considered as the loss of an arm, and amputation at or above the knee shall be considered as the loss of a leg. Total loss of the use of a hand, arm, foot, leg, or eye shall be considered as the equivalent of the loss of such hand, arm, foot, leg, or eye.

This compensation shall not be more than fifteen dollars per week, nor less than five dollars per week; provided, that, if at the time of injury, the employee receives wages of less than five dollars per week, then he shall receive the full amount of such wages per week as compensation.

Section 3. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby further amended by the repeal of 3193 q. Section 110, and the insertion in lieu thereof of the following, to be styled 3193 q. Section 110:

3193 q. Section 110. In all hearings before the Board, it shall make such inquiries and investigations as it shall deem necessary. The hearings of the Board shall be held at some reasonable location in the City or County where the injury occurred, and each award of the Board shall be in writing and shall be filed among its records, and a copy thereof shall either

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be served personally on or sent by registered mail to each of the parties in interest within one week after making such award. The Superior Court of the State of Delaware shall, in accordance with the provisions of Article 4, Section 24 of the Constitution of the State of Delaware, and in accordance with such rules as said Court is hereby authorized to make, provide for the obtaining of evidence outside of the State of Delaware, to be used in hearings before the Industrial Accident Board; provided, however, that subject to the approval of the Industrial Accident Board, the parties in interest in any particular cause may agree upon different methods of taking such evidence. The subpoenas provided for in this Act shall be effective throughout the entire State. Whenever a cause shall be remanded to the Industrial Accident Board for a rehearing, all evidence theretofore taken before the Industrial Accident Board in a previous hearing or hearings shall become part of the evidence in the hearing upon the remand.

Section 4. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby further amended by the insertion after 3193 tt. Section 139, of the following new section, to be styled 3193 tt. Section 139 A:

3193 tt. Section 139 a. For the purpose of making more clear certain of the provisions of the Act to which this section is an amendment, provision is hereby made as follows:

(a) That the term "compensation" wherever used in this Act, and wherever the context requires it, shall be held to include surgical, medical and hospital services, medicines and supplies, and funeral benefits, provided for in this Act.

(b) That the notice required to be served on all parties in interest under the provisions of 3193 o. Section 108, Chapter 90, Revised Code, as amended by Chapter 233, Volume 29, Laws of Delaware, may be served personally or sent by registered mail.

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(c) That the provision in 3193 p. Section 109, Chapter 90, Revised Code, as amended by Chapter 233, Volume 29, Laws of Delaware, that the Industrial Accident Board shall "send to the parties a copy of the award" shall be construed to mean either personal delivery of such copy or the sending thereof by registered mail.

(d) That proceedings for compensation may be instituted by the surviving parent, guardian or next friend in the case of minors claiming to be entitled to compensation, and all notices thereafter shall be given in the manner provided in this Act to said parent, guardian or next friend.

(e) That compensation agreed upon or awarded to an injured employee who shall have died and which shall not have been paid at the time of his death, shall be paid to his nearest dependent as indicated by 3193 k. Section 104, Chapter 90, Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, and Chapter 203, Volume 30, Laws of Delaware.

(f) That in construing the words "earning power of the employee thereafter" as the same appear in sub-section (b) of 3193 j. Section 103, Chapter 90 of the Revised Code of the State of Delaware as amended by Chapter 233, Volume 29, Laws of Delaware, and Chapter 203, Volume 30, Laws of Delaware, the Industrial Accident Board shall take into consideration the value of gratuities, board, lodging, and similar advantages received by the employee in a subsequent employment.

Approved April 1, A. D. 1921.

CHAPTER 187

MASTERS, APPRENTICES AND EMPLOYEES

FEMALE EMPLOYEES

AN ACT to amend Chapter 231, Volume 29, Laws of Delaware, relative to protection of public health and welfare, by establishing certain sanitary regulations for the protection of females employed in the State of Delaware.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Act entitled "An Act to Protect the Public Health and Welfare by Establishing Certain Sanitary Regulations for the protection of Females Employed in the State of Delaware, in any Mercantile, Mechanical or Manufacturing Establishment, Laundry, Baking or Printing Establishment, Dress-making Establishment, Place of Amusement, Telephone or Telegraph Office or Exchange, Hotel, Restaurant, or Office," approved March 16, 1917, being Chapter 231, Volume 29, Laws of Delaware, be and the same is hereby amended by striking out and repealing Section 1 of said Act and inserting in lieu thereof the following new Section 1, viz:

Section 1. TOILETS:—In every mercantile, mechanical, transportation or manufacturing establishment, laundry, baking or printing establishment, dressmaking establishment, place of amusement, telephone or telegraph office or exchange, hotel, restaurant, or office in which females are employed or permitted to work, there shall be provided suitable and easily accessible water closets or privies for their use.

When both males and females are employed or permitted to work, and four or more persons are employed, separate water closets or privies shall be provided for each sex and shall be plainly marked at the entrance "Men" and "Women", and these closets shall be easily accessible.

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Where fifteen or less such females are employed or permitted to work at any time, at least one water closet or privy shall be provided; where fifteen or more such persons are employed, they shall be provided in the ratio of one for every twenty-five persons.

All water closets or privies shall be properly lighted and shall at all times be kept in repair, clean, sanitary and free from all obscene writing or marking. The compartments containing such water closets or privies shall open to the outer air or be ventilated by means of a shaft or air duct to the outer air.

Section 2. That said Act be and the same is hereby further amended by striking out and repealing Section 8 thereof and inserting in lieu thereof the following new Section 8, viz:

Section 8. ENFORCEMENT:—It shall be the duty of the Inspectors appointed by the Labor Commission of Delaware to enforce the provisions of this Act. The Inspectors shall visit and inspect establishments, and shall have the power whenever they have reason to suppose that work is being performed to visit and inspect any establishment in or in connection with which any female shall be employed or permitted to work. The Inspectors shall investigate all complaints of violation of this Act received by said Inspectors, and institute prosecutions for the violations of the provisions thereof.

The State Board of Health of Delaware shall determine what are poisonous fumes and gases and what are poisonous or injurious dust, lint or particles of material, as set out in Section 6 of this Act, and the Labor Commission of Delaware shall determine the definition of all other terms used in this Act; and shall have power to adopt and promulgate suitable rules and regulations for effectively carrying out the provisions of this Act; but the decision of either the State Board of Health of Delaware or the Labor Commission of Delaware shall not be final, but subject to appeal to the Court of General Sessions of the State of Delaware in and for the county of the person appealing, or in case

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the appeal be prosecuted by the Labor Commission of Delaware, from the decision of the State Board of Health, then in and for the county wherein said poisonous fumes or gases or poisonous or injurious dust, lint or particles of material are created.

The Inspectors shall keep records of all visits or inspections made and of all written orders given by the aforesaid Inspectors. The Inspectors shall keep records of all complaints of violation of this Act received by them and of all prosecutions instituted, with the result of each prosecution.

In the enforcement of the provisions of this Act, the Inspectors shall give proper notice in regard to violation of this Act to the person or corporation owning, operating or managing any such establishment. Such notice shall be written or printed and signed officially by the Inspector, and said notice may be served by delivering the same to the person on whom service is to be had, or by leaving at his usual place of abode or business an exact copy thereof, or by sending a copy thereof to such person by mail.

If found necessary to make changes in or additions to any establishments named in Section 1 for ventilation, sewerage, water closets or plumbing, the Inspectors shall require the owner of the building in which such establishment is situated to provide the necessary changes, additions, or improvements, if they are of a permanent character and will become the property of the owner of the building in which such establishment is located.

Compliance with the written order of the Inspector must be within the number of days specified by him in his order. Appeal from the decision of the Inspector may be made to the Labor Commission of Delaware. Such appeal must be made in writing within ten days of the receipt of the Inspector's order.

Approved March 25, A. D. 1921.

TITLE SIXTEEN

Titles to Real Property

CHAPTER 188

ALIENS

AN ACT to amend Chapter 91 of the Revised Code of the State of Delaware relating to aliens.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 91 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 3194, Sec. 1 thereof, and by inserting in lieu thereof the following new section, to be styled, 3194, Sec. 1:

3194, Sec. 1. On and after the approval of this Act, only such aliens as are eligible to citizenship under the laws of the United States may acquire, possess, inherit, transfer or transmit, in any manner whatever, real and personal property, or any interest therein, in the State of Delaware, and all aliens eligible to citizenship under the laws of the United States as aforesaid, may acquire, hold, possess, inherit, transfer or transmit, real and personal property, or any interest therein, in the State of Delaware, in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this State.

Section 2. That Chapter 91 of the Revised Code of the State of Delaware be and the same is hereby further amended by re-

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pealing 3195, Sec. 2 thereof, and by inserting in lieu thereof the following new section, to be styled, 3195, Sec. 2:

3195, Sec. 2. All aliens other than those mentioned in Section 1 of this Act, may acquire, possess, inherit, transfer or transmit real and personal property, or any interest therein, in the State of Delaware, in the manner and to the extent, and for the purposes prescribed by any treaty now existing between the government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

Section 3. That Chapter 91 of the Revised Code of the State of Delaware be and the same is hereby further amended by adding the following new section, to be styled, 3195 A. Sec. 2 A.:

3195 A. Sec. 2 A. Any real or personal property in the State of Delaware hereafter acquired in violation of the provisions of this Act, by any alien mentioned in Section 2 of this Act, shall escheat to and become and remain the property of the State of Delaware, in the same manner, and subject to the same conditions as now provided by law in reference to escheats.

Section 4. That nothing in this Act shall be construed as a limitation upon the power of the State of Delaware to enact laws with respect to the acquisition, holding or disposal by aliens of real or personal property in the State of Delaware.

Section 5. That all Acts and parts of Acts, inconsistent, or in conflict with, the provisions of this Act, be and the same are hereby repealed to the extent of such inconsistency or conflict.

Approved April 7, A. D. 1921.

CHAPTER 189

TITLE TO REAL ESTATE

AN ACT to vest the title of certain real estate in The Delaware Hospital.

WHEREAS by virtue of the provisions of Chapter 147 of Volume 17 of the Laws of Delaware "The Delaware Hospital" was incorporated March 22, 1888, as by reference to the Certificate of said corporation recorded at Wilmington in the office of Recorder of Deeds, in and for New Castle County, in Private Act Record D, Volume 1, Page 125, &c. will more fully appear;

AND WHEREAS by an Act of the Legislature of the State of Delaware being Chapter 632 of Volume 18 of the Laws of Delaware, passed April 16, 1889, and entitled: "An Act to Incorporate The Delaware Hospital" all lands, tenements, hereditaments, offices, effects, goods and chattels held by the said "The Delaware Hospital" incorporated as shown by the aforesaid Private Act Record D, Volume 1, Page 125, &c. were declared to be vested in "The Delaware Hospital," the corporation created by the said Chapter 632, Volume 18 of the Laws of Delaware;

AND WHEREAS prior to the incorporation of the said "The Delaware Hospital", incorporated as shown by the aforesaid Private Act Record D, Volume 1, Page 125, &c. and "The Delaware Hospital" incorporated by Chapter 632, Volume 18 of the Laws of Delaware, "The Delaware Hospital" was incorporated March 12, 1888, by virtue of the provisions of Chapter 147 of Volume 17 of the Laws of Delaware as by reference to the Certificate of said corporation recorded at Wilmington, in the office of the Recorder of Deeds, in and for New Castle County, in Private Act Record D, Volume 1, Page 122, &c. as will more fully appear;

AND WHEREAS by Indenture executed by Benjamin Lee and Alfred Lee, Jr., Executors of Alfred Lee, deceased, dated Au-

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gust 7, 1888, and recorded in Deed Record I, Volume 14, Page 416, &c. at Wilmington, in the office of the Recorder of Deeds, in and for New Castle County, and by Indenture executed by Benjamin Lee and Alfred Lee, Jr., Executors of Alfred Lee, dated August 24th, 1889, and recorded at Wilmington, in the office of the Recorder of Deeds, in and for New Castle County, in Deed Record T, Volume 14, Page 242, &c. and by Indenture dated December 8, 1893, executed by Benjamin Lee and Alfred Lee, Jr., Executors of Alfred Lee, and recorded at Wilmington, in the office of the Recorder of Deeds, in and for New Castle County, in Deed Record H. Volume 16, Page 406, &c., and by Indenture executed by Clawson H. Hammitt, dated June 26, 1894, and recorded at Wilmington, in the office of the Recorder of Deeds, in and for New Castle County, in Deed Record P, Volume 16, Page 8, &c., and by Indenture executed by Lizzie R. Cummings and Frank F. Cummings, her husband, dated April 25, 1914, and recorded at Wilmington, in the office of the Recorder of Deeds, in and for New Castle County, in Deed Record Y, Volume 24, Page 372, &c., and by Indenture executed by George C. Hutton and Mary E., his wife, dated April 25, 1914, and recorded at Wilmington, in the office of the Recorder of Deeds, in and for New Castle County, in Deed Record V, Volume 24, Page 392, &c., there was conveyed in fee simple to "The Delaware Hospital", a corporation of the State of Delaware, certain real estate in the City of Wilmington, Delaware, as is in said deeds described.

AND WHEREAS the Trustees of "The Delaware Hospital" incorporated as shown by the aforesaid Private Act Record D, Volume 1, Page 125, &c. and the Trustees of "The Delaware Hospital", incorporated under the provisions of Chapter 632, Volume 18 of the Laws of Delaware, have always since the dates of the above mentioned deeds held, used and possessed the property mentioned in said deeds for the uses and purposes of "The Delaware Hospital";

AND WHEREAS there has been expressed a doubt as to whether the said mentioned deeds conveyed the title to the property therein mentioned to "The Delaware Hospital" incorporated as shown

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in the aforesaid Private Act Record D, Volume 1, Page 122, &c., or in the aforesaid Private Act Record D, Volume 1, Page 125, &c., or by Chapter 632, Volume 18 of the Laws of Delaware;

NOW, THEREFORE, for the purpose of removing any doubt in regard to title to the said pieces of property described in the above mentioned deeds and for the further purpose of vesting in fee simple the said property so described in said deeds in the said "The Delaware Hospital" incorporated by the provisions of Chapter 632, Volume 18 of the Laws of Delaware:

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That all of the right, title and interest of any kind or nature whatsoever of, in and to all of the property described in the deed executed by Benjamin Lee and Alfred Lee, Jr., Executors of Alfred Lee, deceased, dated August 7, 1888, and recorded in Deed Record I, Volume 14, Page 416, at Wilmington, in the office of the Recorder of Deeds, in and for New Castle County, and in the deed executed by Benjamin Lee and Alfred Lee, Jr., Executors of Alfred Lee, dated August 24, 1889, and recorded at Wilmington, in the office of the Recorder of Deeds, in and for New Castle County, in Deed Record T, Volume 14, Page 242, and in the deed dated December 8, 1893, executed by Benjamin Lee and Alfred Lee, Jr., Executors of Alfred Lee, and recorded at Wilmington, in the office of the Recorder of Deeds, in and for New Castle County, in Deed Record H, Volume 16, Page 406, &c., and in the deed executed by Clawson H. Hammitt, dated June 26, 1894, and recorded at Wilmington, in the office of the Recorder of Deeds, in and for New Castle County, in Deed Record P, Volume 16, Page 8, &c. and in the deed executed by Lizzie R. Cummings and Frank F. Cummings, her husband, dated April 25, 1914, and recorded at Wilmington, in the office of the Recorder of Deeds, in and for New Castle County, in Deed Record Y, Volume 24, Page 372, &c., and in the deed executed by George C. Hutton and Mary E., his wife, dated April 25, 1914, and recorded at Wilmington, in the office of the

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Recorder of Deeds, in and for New Castle County, in Deed Record V, Volume 24, Page 392, &c., is hereby declared to be vested in fee simple in "The Delaware Hospital", the corporation created under the provisions of Chapter 632, Volume 18 of the Laws of Delaware.

Section 2. This Act shall be deemed and taken to be a public act.

Approved March 15, A. D. 1921.

TITLE EIGHTEEN

The General Police

CHAPTER 190

GENERAL PROVISIONS RESPECTING THE POLICE

PURE FOOD AND DRUGS

AN ACT making it a misdemeanor to manufacture or sell, or trade in, adulterated or misbranded or poisonous or deleterious food or drugs, and prescribing penalties therefor.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That it shall be unlawful for any person to manufacture, sell or trade in, within the State of Delaware, any article of food or drugs which is adulterated, misbranded, poisonous or deleterious, within the meaning of this Act.

Section 2. That the term "food", as used in this Act, shall include all articles used for food, drink, confectionery or condiment by man or other animal, whether simple, mixed or compound; and the term "drug," as used in this Act, shall include all medicines and preparations recognized in the United States Pharmacopoeia or National Formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation, or prevention of disease of either man or other animals.

Section 3. That, for the purposes of this Act, an article shall be deemed to be adulterated:

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In case of drugs:

1. If, when a drug is sold under or by a name recognized in the United States Pharmacopoeia or National Formulary, it differs from the standard of strength, quality, or purity, as determined by the test laid down in the United States Pharmacopoeia or National Formulary official at the time of investigation: Provided, that no drug defined in the United States Pharmacopoeia or National Formulary shall be deemed to be adulterated under this provision if the standard of strength, quality, or purity be plainly stated upon the bottle, box, or other container thereof although the standard may differ from that determined by the test laid down in the United States Pharmacopoeia or National Formulary.

2. If its strength or purity fall below the professed standard or quality under which it is sold.

In the case of confectionery:

If it contains terra alba, barytes, talc, chrome yellow, or other mineral substance or poisonous color or flavor, or other ingredient deleterious or detrimental to health, or any vinous, malt or spirituous liquor or compound or narcotic drug.

In case of other food:

1. If any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

2. If any substance has been substituted wholly or in part for the article.

3. If any valuable constituent of the article has been wholly or in part abstracted.

4. If it be mixed, colored, powdered, coated, or stained in a manner whereby damage or inferiority is concealed.

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5. If it contain any added poisonous or other added deleterious ingredient which may render such article injurious to health: Provided, that when in the preparation of food products for shipment they are preserved by any external application applied in such manner that the preservative is necessarily removed mechanically, or by maceration in water, or otherwise, and directions for the removal of said preservative shall be printed on the covering or the package, the provisions of this Act shall be construed as applying only when said products are ready for consumption.

6. If it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter.

Section 4. That the term "misbranded", as used herein, shall apply to all drugs, or articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement, design, or device regarding such article, or the ingredients or substances contained therein which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the State, territory, or country in which it is manufactured or produced.

That, for the purposes of this Act, an article shall also be deemed to be misbranded:

In case of drugs:

1. If it be an imitation of or offered for sale under the name of another article.

2. If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any

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alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any such substances contained therein.

In the case of food:

1. If it be an imitation of or offered for sale under the distinctive name of another article.

2. If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any of such substances contained therein.

3. If in package form, the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

4. If the package containing it or its label shall bear any statement, design, or device regarding the ingredients or the substances contained therein, which statement, design, or device shall be false or misleading in any particular. Provided, that an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases:

1. In the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food, under their own distinctive names, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with a

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statement of the place where said article has been manufactured or produced.

2. In the case of articles labeled, branded, or tagged so as to plainly indicate that they are compounds, imitations, or blends, and the word "compound", "imitation", or "blend", as the case may be, is plainly stated on the package in which it is offered for sale. Provided, that the term "blend" as used herein shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purpose of coloring and flavoring only. And provided further, that nothing in this Act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredient to disclose their trade formulas, except insofar as the provisions of this Act may require to secure freedom from adulteration or misbranding.

Section 5. That no dealer shall be prosecuted under the provisions of this Act when he can establish a guaranty signed by the wholesaler, jobber, manufacturer, or other party residing in the United States, from whom he purchases such articles, to the effect that the same is not adulterated or misbranded within the meaning of this Act, designating it. Said guaranty, to afford protection, shall contain the name and address of the party or parties making the sale of such articles to such dealer, and in such case said party or parties shall be amenable to the prosecutions, fines and other penalties which would attach, in due course, to the dealer under the provisions of this Act.

Section 6. That any person who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor, and for each offense shall, upon conviction thereof, be fined not to exceed five hundred dollars, or shall be sentenced to not more than one year's imprisonment, or both such fine and imprisonment, in the discretion of the Court, and for each subsequent offense and upon conviction thereof shall be fined not more than One Thousand Dollars, or sentenced to one year's imprisonment,

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or both such fine and imprisonment, in the discretion of the Court.

Section 7. That this Act shall be in force and effect from and after the first day of January, nineteen hundred and twenty-two.

Approved April 11, A. D. 1921.

CHAPTER 191

GENERAL PROVISIONS RESPECTING THE POLICE

REGULATION OF SMALL LOANS

AN ACT to amend Chapter 100, Article 29, of the Revised Code of the State of Delaware, as amended by Chapter 239, Volume 29 Laws of Delaware relating to the regulation of small loans by making more specific the provisions thereof.

Be it enacted by the Senate and the House of Representatives of the State of Delaware in General Assembly met:

That Chapter 100, Article 29, of the Revised Code of the State of Delaware as heretofore amended by Chapter 239, Volume 29, Laws of Delaware; be and the same is hereby amended, by repealing 3561, Section 126, and inserting in lieu thereof the following section to be styled "3561 Section 126."

3561. Section 126. Sections 119 to 125A inclusive of this Chapter as amended by Chapter 239, Volume 29, Laws of Delaware shall not apply to any National or State Bank or to any Trust Company organized under the laws of this State; but where a corporation has exercised the privileges of said Article, as amended, in connection with the conduct of its business, and as a result of merger under the General Corporation Laws of the State or otherwise, becomes in fact and in name a National or State Bank or Trust Company, then and in such case, nothing in this paragraph shall be so construed as to prevent the new corporation from the continued exercise of the privileges of this Article, subject of course, to the performance of the obligations thereby imposed.

Approved April 18, A. D. 1921.

CHAPTER 192

GENERAL PROVISIONS RESPECTING THE POLICE

KEEPERS OF HOTELS, INNS OR BOARDING HOUSES

AN ACT to amend Chapter 100, of the Revised Code of the State of Delaware, by inserting an additional article in relation to the liability of keepers of hotels, inns or boarding houses.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That the Revised Code of the State of Delaware, be and the same is hereby amended by adding a new Article to Chapter 100, to be known as 3575 a. Sec. 140 a.

Whenever the proprietor or proprietors of any Hotel, Inn or Boarding House shall provide a good, sufficient and secure safe or vault, in the office or other convenient place in such Hotel, Inn or Boarding House, for the safe keeping of any money, goods, jewelry and valuables belonging to the guests and boarders of such Hotel, Inn or Boarding House, and shall notify the guests and boarders thereof, by placing in every lodging room, and other conspicuous places, printed cards or notices, stating the fact that such safe or vault is provided in which such goods, jewelry and valuables may be deposited, and that the proprietor or proprietors thereof will not be responsible for said money, goods, jewelry and valuables unless deposited in said safe or vault, and if such guest or boarder shall neglect to deposit such money, goods, jewelry or valuables in such safe or vault, the proprietor or proprietors, as aforesaid, shall not be liable for any loss of such money, goods, jewelry or valuables sustained by such guest, by theft, or otherwise.

Approved March 28, A. D. 1921.

CHAPTER 193

GENERAL PROVISIONS RESPECTING THE POLICE

MOTOR VEHICLES

AN ACT conferring on the Secretary of State the power to revoke or suspend the registration of motor vehicles or motor-cycles and licenses to operate.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Secretary of State be hereby authorized and empowered to revoke or suspend the operating license of any person who by reasonable evidence shall be shown to be not a proper or competent person to operate a motor vehicle without endangering the safety of others, or to be persistently reckless, or an habitual violator of the provisions of the law applying to motor vehicles.

Section 2. That the Secretary of State be hereby authorized and empowered to revoke or suspend the registration of any motor vehicle which by reasonable evidence is shown to be unsafe to operate, or is not properly equipped as provided for under the law, or which, with the knowledge and free consent of the owner, has been operated by a person not entitled under the law to operate it, or which, at the owner's expressed direction has been operated contrary to the law and in a manner endangering the lives or property of others.

Section 3. No operating license or motor vehicle registration shall be revoked or suspended without a hearing, notice of which shall be sent by registered mail five days in advance to the address given on the application by the holder of said license or registration. Hearings shall be held before the Secretary of State, or before any employee of the Secretary of State's office, whom the Secretary of State may designate, and the costs of such

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hearings shall be paid by the Secretary of State from the funds derived from the issue of operating licenses.

Section 4. When a registration or operating license has been revoked or suspended, the applicant shall have the right of appeal to the Court of General Sessions of the county, which Court shall have full power to hear and determine the appellant's right to such registration or license and to direct the Secretary of State that the registration or license be restored; such appeal, however, shall not operate to stay the revocation or suspension.

Section 5. Notice of the revocation or suspension of licenses or registrations shall be mailed by the Secretary of State to the State Highway Department, to all officers entitled to receive applications for operators' licenses or registrations, and to the authority charged with the enforcement of the law in the community in which the operator and the owner reside.

Section 6. The operation of a motor vehicle, the registration of which is revoked or suspended, or which has not been properly registered, or the operation of any motor vehicle by a person whose operating license is revoked or suspended, or who is not entitled to operate the same under other provisions of the law, shall be punishable on conviction by a fine not exceeding two hundred dollars, or by imprisonment for thirty days, or both. If the owner of said motor vehicle, with knowledge of the fact, shall have permitted such unlawful operation by another, he shall be subject to the same penalty on conviction.

Section 7. The provisions of this Act shall apply also to motor trucks, motor-cycles, and tractors, except tractors intended for agricultural purposes, and to their registration, and to the owners or operators thereof, and to their licenses.

Section 8. All Acts or parts of Acts inconsistent with this Act, be, and the same are, hereby repealed.

Approved March 28, A. D. 1921.

CHAPTER 194

GENERAL PROVISIONS RESPECTING THE POLICE

MOTOR VEHICLES

AN ACT to amend Chapter 213 of Volume 30, Delaware Laws and relating to mirrors on motor vehicles.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 213 of Volume 30, Delaware Laws be and the same is hereby amended by adding another Section thereto after Section 5 thereof to be designated Section 5 A, as follows:

Section 5 A. All Motor Trucks shall be equipped with a Mirror so placed that the driver thereof may readily ascertain the presence of any vehicle traveling in the same direction and overtaking him.

Approved March 28, A. D. 1921.

CHAPTER 195

GENERAL PROVISIONS RESPECTING THE POLICE

TRAFFIC REGULATIONS

AN ACT conferring on the authorized representatives of the State Highway Department the power to enforce all traffic laws and regulations on the public highways of the State and all the laws relating to licenses of motor vehicles.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the authorized representatives of the State Highway Department are hereby authorized, empowered and directed to compel the enforcement of all Traffic Laws and Regulations on the public highways in this State and all laws regulating licenses of motor vehicles.

Approved February 18, A. D. 1921.

CHAPTER 196

GENERAL PROVISIONS RESPECTING THE POLICE

TRAFFIC REGULATIONS

AN ACT conferring greater police powers on Traffic Officers of the State Highway Department.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That all Traffic Officers in the employ of the State Highway Department shall hereafter be conservators of the peace throughout the State and shall have power and it shall be their duty to suppress all acts of violence and all infractions of laws relating to the safety of persons and property.

Approved February 18, A. D. 1921.

CHAPTER 197

GENERAL PROVISIONS RESPECTING THE POLICE

NARCOTIC DRUGS

AN ACT to amend Chapter 100 of the Revised Code relating to the sale of narcotic drugs.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That Chapter 100 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of 3595 P. Section 160 P., and by inserting in lieu thereof a new section, to be styled, 3595 P. Section 160 P., as follows:

“3595 P. Section 160 P. That any person who violates or fails to comply with any of the requirements of this Act, shall be guilty of a misdemeanor, and shall be punished by a fine of not more than One Thousand Dollars, and by imprisonment for not more than three years, and may be whipped with twenty lashes.”

Approved March 28, A. D. 1921.

CHAPTER 198

GENERAL PROVISIONS RESPECTING THE POLICE

TELEPHONE PARTY LINES

AN ACT to amend Chapter 100 of the Revised Code of the State of Delaware relating to telephone party lines.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 100 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing all of 3596, Sec. 161 of said Chapter, and by inserting in lieu thereof a new section, to be styled, 3596, Sec. 161, as follows:

3596, Sec. 161. NUMBER ON EACH LINE LIMITED; VIOLATION A MISDEMEANOR; PENALTY: It shall be unlawful for any person or persons, corporation or corporations, operating, controlling or owning any telephone lines within this State, known as party lines, and for which the regular charge for separate telephones is at the rate of twenty dollars or more per year, to have more than eight telephones upon any one line.

Any person, or persons, corporation or corporations, violating the provisions of this Section, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not less than twenty-five dollars nor more than one hundred dollars for each offence.

Approved March 17, A. D. 1921.

CHAPTER 199

JAILS AND WORKHOUSES

GENERAL PROVISIONS

AN ACT extending the provisions of Chapter 241, Volume 29, Laws of Delaware, jails and workhouses, to Sussex County.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the provisions of Chapter 241, Volume 29, Laws of Delaware, be and the same are hereby extended to and made applicable to Sussex County.

Approved March 28, A. D. 1921.

CHAPTER 200

JAILS AND WORKHOUSES

NEW CASTLE COUNTY WORKHOUSE

AN ACT to amend Chapter 101, of the Revised Code of the State of Delaware, by providing for an increase in the cost of the maintenance of the prisoners so committed to the custody of the Board of Trustees of the New Castle County Workhouse.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That Chapter 101, of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out in 3612, Sec. 16 of said Chapter, the whole of the paragraph after the word "discharged" in the eighth line thereof, and before the word "the" in the eleventh line thereof, and substituting in lieu thereof the following:

The cost of the maintenance of the prisoners so committed to the custody of said Trustees shall be paid by each of the Counties, New Castle, Kent and Sussex, from which said prisoner is committed, at a rate not to exceed sixty cents daily per capita. This Act shall become effective the first day of July, A. D. 1921, and the above stated rate of sixty cents shall continue in force for a period of two years from the said first day of July, A. D. 1921, after which time the rate shall be forty cents daily per capita, until the Workhouse loan is liquidated, and thereafter such amount only as will pay the actual cost of maintenance.

Approved March 28, A. D. 1921.

CHAPTER 201

JAILS AND WORKHOUSES

NEW CASTLE COUNTY WORKHOUSE

AN ACT authorizing and directing the Levy Court of New Castle County to borrow on the credit of the County certain sums of money not exceeding thirty thousand dollars in order to provide for the support and maintenance of the New Castle County Workhouse.

WHEREAS, the Levy Court of New Castle County was authorized and directed to borrow on the credit of the County the sum of Two Hundred and Seventy-five Thousand (\$275,000) Dollars under an Act to establish the New Castle County Workhouse, and an Act to provide for the completion of the New Castle County Workhouse, and an County Workhouse; and

WHEREAS, the Board of Trustees of the New Castle County Workhouse has paid off the sum of One Hundred and Fifty-three Thousand (\$153,000) Dollars of said certificates of indebtedness; and

WHEREAS, the Board of Trustees of the said New Castle County Workhouse in order to carry into effect the needed improvements in the support and maintenances of the inmates of said Workhouse, it is necessary that authority be given the Levy Court of New Castle County to borrow an additional sum of money.

Therefore, be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The Levy Court of New Castle County is hereby authorized and directed to borrow on the credit of the County, in order to provide for the improvements in the support and maintenance of the inmates in the New Castle County Workhouse, such sums of money as may be directed by the said Board of Trustees of the New Castle County Workhouse, in addition to the

NEW CASTLE COUNTY WORKHOUSE

sum of Two Hundred and Seventy-five Thousand Dollars (\$275,000) heretofore directed to be borrowed under the Act entitled "An Act to Establish the New Castle County Workhouse," and the Act entitled "An Act to Provide for the completion of the New Castle County Workhouse," and the Act entitled "An Act to Provide for the Additions to the New Castle County Workhouse," provided that the said sum hereby authorized and directed to be borrowed shall not exceed in the aggregate the sum of Thirty Thousand (\$30,000) Dollars, and for such purpose shall issue certificates of indebtedness of such denomination and in such form as the said Levy Court may deem most expedient. Such certificates shall bear date the first day of May, A. D. 1921. They shall be payable on the first day of May, A. D. 1931. They shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually on the first day of May and November in each year.

This Loan shall be known as and form part of the New Castle County Workhouse Loan. Each certificate shall bear upon its face the words "LOAN FOR IMPROVEMENTS IN THE NEW CASTLE COUNTY WORKHOUSE." This Loan, together with the Two Hundred and Seventy-five Thousand (\$275,000) Dollars Loans aforesaid, shall be kept separate and distinct from all other indebtedness of the County for the purpose of identification.

All money realized from the sale of said certificates shall be paid to the Board of Trustees and by them shall be applied for the improvements in the support and maintenance of the said Workhouse. The said Board is hereby authorized and directed to pay the interest on the said Bonds when and as the same shall become due.

Approved March 31, A. D. 1921.

CHAPTER 202

JAILS AND WORKHOUSES

NEW CASTLE COUNTY WORKHOUSE

AN ACT to amend Chapter 101, of the Revised Code of the State of Delaware, Jails and workhouses, Article 2, by providing for the labor at some suitable employment of the prisoners confined in the New Castle County Workhouse.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 101 of the Revised Code of the State of Delaware, Jails and Workhouses, Article 2, be and the same is hereby amended by adding thereto immediately after 3613, Section 17, the following, to be known as 3613 A. Section 17 A.

3613 A. Section 17 A. PRISONERS IN; LABOR AT SOME SUITABLE EMPLOYMENT:—(1) The Board of Trustees of the New Castle County Workhouse is hereby authorized and empowered to make and enter into any agreement with any person or persons, corporation or corporations within the County of New Castle and State of Delaware, for the labor at some suitable employment, eight hours each secular day, for all persons convicted of any crime and committed to the custody of the said Trustees, unless said persons shall be physically disabled. For all overwork each prisoner shall receive credit and be paid.

Approved March 28, A. D. 1921.

CHAPTER 203

HEDGES ALONG PUBLIC ROADS

AN ACT to amend Chapter 103 of the Revised Code of the State of Delaware in relation to hedges along public roads.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That Chapter 103 of the Revised Code of the State of Delaware be amended by repealing paragraph 3631, Section 8 and inserting in lieu thereof the following:

3631. Sec. 8. HEDGES ALONG HIGHWAY; TRIMMING OF; REMOVAL OF TRIMMINGS; EXCEPTION; VIOLATION A MISDEMEANOR; PENALTY:—All hedges growing along any of the public roads in this State shall be trimmed at least once in every year to a height of not more than four and one-half feet, and it shall be the duty of the owner, tenant or occupant of any land upon which such hedge is so growing to so trim such hedge as herein provided. None of the trimmings made by so trimming such hedge shall be allowed to remain on any of the said public roads longer than two weeks, but shall be removed therefrom by the party doing the trimming aforesaid. Nothing in this Section shall be construed to compel the owner, tenant or occupant of any land upon which such hedge is so growing to remove from the public roads any of such trimmings that cannot be removed by the use of an ordinary horse rake, and such owner, tenant or occupant shall not be compelled to remove the small trimmings within five feet of such hedge.

In case hedges are cut down for the purpose of laying or allowing to thicken, the same may be permitted to grow without trimming for a period of three years.

Whoever fails to perform any of the duties imposed by this

HEDGES ALONG PUBLIC ROADS

Section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding fifty dollars and in default of payment thereof may be imprisoned not exceeding sixty days.

Approved March 15, A. D. 1921.

TITLE NINETEEN

Courts

CHAPTER 204

JUDICIAL REPORTS

AN ACT to authorize the printing and publishing of one volume of Equity Cases decided by former Chancellor John R. Nicholson, during his term of office as Chancellor, and not heretofore published in the Delaware Chancery Reports, the manuscript of which is now ready for the publisher.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That John R. Nicholson, former Chancellor, be and he is hereby authorized to publish before the thirty-first day of December, A. D. 1921, one volume of equity cases decided by him during his term of office as Chancellor and not heretofore published in the Delaware Chancery Reports, the manuscript of which is now ready for the publisher.

Such volume to contain not less than five hundred pages, including an index. He shall deposit one hundred copies of the said volume with the Secretary of State.

Section 2. All provisions of law relating to the publication of equity cases by the Chancellor, and payment for the same, shall apply to the volume of reports herein above authorized.

Approved March 28, A. D. 1921.

CHAPTER 205

JUDICIAL REPORTS

AN ACT to provide for additional copies of the State Judicial Reports.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 109 of the Revised Code of the State of Delaware be and the same is hereby amended by the repeal of 3702 Sec. 1 and the insertion in lieu thereof the following, which shall be styled "3702 Sec. 1."

3702 Sec. 1. The Associate Judge resident in Kent County shall report such decisions of the Supreme Court, the Court in Banc, the Court of Oyer and Terminer, the Superior Court and the Court of General Sessions, as he shall consider important to the public; and shall print and publish the same in volumes of not less than six hundred pages, including an index. He shall deposit two hundred Copies with the Secretary of State.

Section 2. That Chapter 109 of the Revised Code of the State of Delaware be and the same is hereby further amended by the repeal of 3706 Sec. 5 and the insertion in lieu thereof the following, which shall be styled "3706 Sec. 5."

3706 Sec. 5. Upon the receipt by the Governor of the certificate of the Secretary of State that the reports published by the Associate Judge resident in Kent County have been deposited in the office of the Secretary of State, as required by law, the Governor shall draw his warrant upon the State Treasurer, in favor of said Judge, to pay for the same, for the sum of two thousand dollars; and upon the receipt by the Governor of the certificate of the Secretary of State that the reports published by the Chancellor have been deposited in the office of the Secretary of State, as required by law, the Governor shall draw his

JUDICIAL REPORTS

warrant upon the State Treasurer, in favor of said Chancellor, to pay for the same, for the sum of eight hundred dollars. There shall be allowed and paid to the Chancellor and the Associate Judge resident in Kent County, respectively, for reporting said decisions the sum of two hundred dollars per annum in addition to their respective salaries.

Approved March 15, A. D. 1921.

CHAPTER 206

JUDICIAL REPORTS

AN ACT in relation to Volume 7 of Boyce's Reports.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Associate Judge of the Superior Court, resident in Kent County, be and he is hereby authorized and directed to deposit in the State Library one hundred additional copies of Volume 7 of Boyce's Reports; and on the Certificate of the Secretary of State that said one hundred additional copies of Volume 7 of said Reports have been so deposited in the State Library, the Governor is authorized to draw his warrant on the State Treasurer to pay for the same at the price of Ten Dollars for each copy so deposited.

Approved March 15, A. D. 1921.

CHAPTER 207

PROTHONOTARY, NEW CASTLE COUNTY

AN ACT to authorize the Prothonotary of the State of Delaware in and for New Castle County to procure a new seal of office.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Prothonotary of New Castle County, be and he is hereby authorized to procure a new seal for his office to be made of brass or steel of the dimensions and engraved with the same devices of the present seal, which said seal when completed shall be taken and deemed to be the seal of the Prothonotary's Office of the State of Delaware, in and for New Castle County, and shall thereafter be affixed to all writings, papers and records where the seal of the said Prothonotary's Office is required, and the present seal shall then be broken and destroyed by the said Prothonotary in the presence of the Sheriff of New Castle County.

Section 2. The Levy Court of New Castle County shall pay the necessary costs of procuring said new seal.

Approved March 15, A. D. 1921.

CHAPTER 208

PROTHONOTARY, KENT COUNTY

AN ACT to authorize the Prothonotary of the Superior Court of the State of Delaware in and for Kent County to procure a new seal of office.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Daniel M. Ridgely, Prothonotary of the Superior Court of the State of Delaware in and for Kent County, be and he is hereby authorized to procure a new seal for the said Office of Prothonotary of the Superior Court of the State of Delaware in and for Kent County, to be made of brass or steel of the dimensions and engraved in the same devices of the present seal, which seal when completed shall be taken and deemed to be the seal of the Prothonotary of the Superior Court of the State of Delaware in and for Kent County, and shall thereafter be affixed to all writings, papers and records where the seal of the said Court is required, and the present seal shall then be broken and destroyed by the said Prothonotary of the Superior Court of the State of Delaware in and for Kent County in the presence of the Sheriff of Kent County.

Section 2. The Levy Court of Kent County shall pay the necessary costs of procuring said new seal.

Approved March 15, A. D. 1921.

CHAPTER 209

JUVENILE DELINQUENTS AND PROBATION

AN ACT to amend Chapter 223, of Volume 30, Laws of Delaware in relation to the Juvenile Court fixing the salaries of the three paid assistants to the Chief Probation Officer and granting necessary expenses to the two Probation Officers doing investigation work.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 116 of the Revised Code of the State of Delaware as published in 1915, as amended by Chapter 223, Volume 30 of the Laws of Delaware, as published in 1919, be, and the same is hereby amended, by striking out the second paragraph of 3833 Section 18 and substituting in lieu thereof the following:—

“The Judge of the Juvenile Court shall have authority to appoint or designate three Probation Officers, who shall be women of good moral character. One of said probation officers shall be known as Assistant to the Chief Probation Officer, and shall receive a salary of Twelve Hundred Dollars per annum. The other two Probation Officers, shall each receive a salary of Eleven Hundred Dollars per annum and necessary expenses to an amount not exceeding one hundred and fifty (\$150) Dollars per annum. The aforesaid salaries shall be paid semi-monthly and the expenses shall be paid monthly, one half by the Levy Court of New Castle County and one-half by the Treasurer of “The Mayor and Council of Wilmington” upon the order of the Judge of the Juvenile Court.

Section 2. This act shall become operative on the first day of July, A. D. 1921.

Approved April 29, A. D. 1921.

CHAPTER 210

JUVENILE DELINQUENTS AND PROBATION

AN ACT to amend Chapter 116 of the Revised Code of the State of Delaware and especially 3836 Section 21 as to extent of commitment of Juvenile Court Judge.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That the first paragraph of 3836 Section 21 of the Revised Code of the State of Delaware 1915, be amended by striking out the word "county" in line 16 thereof and inserting in lieu thereof the word "State," so that the clause shall read "or the Court may commit the child to any institution within the State."

Approved March 28, A. D. 1921.

CHAPTER 211

COURT OF CHANCERY

AN ACT to authorize the Clerk of the Court of Chancery in and for Kent County to procure a new seal of office.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Mark W. Cole, Clerk of the Court of Chancery in and for Kent County, be and he is hereby authorized to procure a new seal for the said office of Clerk of the Court of Chancery, to be made of brass or steel of the dimensions and engraved in the same devices of the present seal, which seal when completed shall be taken and deemed to be the seal of the Court of Chancery of Kent County and State of Delaware, and shall thereafter be affixed to all writings, papers and records where the seal of the said Court is required and the present seal shall then be broken and destroyed by the said Clerk of the Court of Chancery in the presence of the Sheriff of Kent County.

Section 2. The Levy Court of Kent County shall pay the necessary costs of procuring said new seal.

Approved March 15, A. D. 1921.

TITLE TWENTY

Justices of the Peace

CHAPTER 212

JUSTICES' JURISDICTION IN CIVIL CASES FOR DEBT

FEEES

AN ACT to amend Chapter 121, Revised Code of the State of Delaware, Justices' Jurisdiction in civil cases for Debt; Article 15, fees.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 121, Revised Code of the State of Delaware, Justices' Jurisdiction in Civil Cases for Debt—Article 15, Fees, 4059, Sec. 56. Justices of the Peace; Constables; Sheriffs, Witnesses; Parties:—be amended by striking out all of sub-title "To a Constable or Sheriff," in said 4059, Sec. 56, Justices of the Peace; Constables; Sheriffs, Witnesses; Parties:—and by substituting in lieu thereof the following:

TO A CONSTABLE OR SHERIFF

For serving and returning a summons, or scire facias on one or more defendants, including all services in a cause before judgment, except mileage and summoning witness and referees, when residing in New Castle County, North of the Christiana River and in Kent and Sussex Counties \$.50

when residing in New Castle County South of the Christiana River \$1.00

FEES

Mileage in serving and returning a summons or scire facias at the rate of five cents for each mile necessarily traveled.

If no service be made, there shall be no fee or allowance of mileage, except in case of a scire facias when judgment shall be rendered thereon.

Giving notice of an application for, or time of a new trial \$.50

For summoning referees (only one fee to be allowed unless there be a new trial and then only two), when residing in New Castle County North of the Christiana River and in Kent and Sussex Counties \$.50

When residing in New Castle County South of the Christiana River \$1.00

Mileage in summoning referees the same as in the case of witness.

For summoning witness, each when residing in New Castle County North of the Christiana River and in Kent and Sussex Counties \$.15

When residing in New Castle County South of the Christiana River \$.25

And five cents for each mile necessarily traveled, to be counted as if all the witnesses for the same party were named in the same writ and summoned at the same time.

For summoning garnishees on execution, or other attachment, for each garnishee (and mileage as in the case of witnesses) \$.30

For posting advertisements of attachment (all) with mileage at the rate of five cents per mile, going to and returning from the Court House, where one of said advertisements

FEES

must by law be posted \$.50

For serving attachment to bring body \$.50

And mileage as in the case of a summons duly served, but if the attachment is issued through the fault of an officer, he shall pay this and the justice's fee.

For taking goods on attachment (other than execution attachment) returning inventory and appraisement, if the goods do not exceed \$15.00 in value \$.60

If they exceed that sum \$1.00

And mileage as in the case of witnesses

But if the goods be sold on execution, no fee shall be charged for taking on that execution.

ON EXECUTIONS

For giving notice to plaintiff on each execution in his hands of day of sale of goods \$.15

For taking goods in execution50

Making inventory, appraisement and return50

Advertising, selling goods 1.00

Collecting on execution, without sale (if the writ shall have been in his hands fifteen days before the money is paid .80

On all sums collected when the execution exceeds Fifty Dollars (\$50) there shall also be allowed five per cent, in addition to the above fees.

For a return of "No goods"15

Mileage on execution, the same as in case of summoning witnesses.

For conveying a person to jail, when residing in New Castle County North of the Christiana River and in Kent and Sussex Counties50

FEES

when residing in New Castle County South of the Christiana River 3.00

And five cents per mile from the place of arrest to the jail, and back to the justice's office.

For serving a warrant in a criminal case, or for bastardy, when residing in New Castle County North of the Christiana River and in Kent and Sussex Counties \$.50

when residing in New Castle County South of the Christiana River 1.00

Conveying defendant from one County to another, five cents per mile going and returning.

Summoning witnesses and conveying a person to jail and for levying execution in a bastardy case, the same fees as for like services on civil process.

Approved March 23, A. D. 1921.

TITLE TWENTY-ONE

Civic Actions, Pleadings and Practice

CHAPTER 213

JURIES

AN ACT to amend Chapter 131 of the Revised Code of the State of Delaware, relating to juries.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That Chapter 131 of the Revised Code of the State of Delaware be, and the same is, hereby amended by the addition of a new section, to be known and designated as, 4261 A. Sec. 10 A., as follows:

4261 A. Sec. 10 A. The Sheriffs of Kent and Sussex Counties shall summon grand jurors and petit jurors in the following manner: Within five days after the delivery to him of the list of persons drawn for grand jurors and petit jurors, he shall deposit in the mail, in a sealed envelope, a summons for each person so as aforesaid drawn, addressed to the proper post-office address of each of said persons, duly registered, with a request for a return receipt, which said receipts he shall safely keep; and, within one hour after the opening of the courts of General Sessions and Superior Court, respectively, on the first day of every term, he shall return to each of said courts a separate and distinct list of the persons summoned to attend thereat as grand jurors and petit jurors, showing the Christian names, the surnames and the places of abode of such jurors, and he also shall exhibit to said courts the said return receipts.

Approved March 28, A. D. 1921.

TITLE TWENTY-TWO

Proceedings in Special Cases

CHAPTER 214

LANDLORD AND TENANT

AN ACT to amend Chapter 142, of the Revised Code of the State of Delaware, landlord and tenant—Article 10.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 142, of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out of said Chapter 4609, Section 78, Removal by Tenant of Provender or Manure Without Consent of Landlord; Penalty:— and by inserting in lieu thereof, the following:

“4609. Section 78. Removal by Tenant of Provender or Manure Without Consent of Landlord; Penalty:—If any person shall carry from demised premises of the quantity of five acres or more any hay (other than salt Hay), straw, long fodder, whether containing the corn husks or not, or manure, without the consent of the owner of the premises, he shall forfeit and pay to such owner double the value of such hay, straw, or long fodder, whether containing the corn husks or not, or manure, with costs.”

Approved March 28, A. D. 1921.

CHAPTER 215

LANDLORD AND TENANT

AN ACT in relation to landlord and tenant and making it unlawful to refuse to rent on account of children in tenant's family.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. It shall be unlawful for any person, owner or agent of any real estate, house, apartment or other premises to refuse or decline to rent or cancel any existing lease to or of any tenant or any person because there is a child in the said tenant's or person's family. It shall also be unlawful for any person to demand or receive a greater sum as rent for the use and occupancy of any premises because there is a child in the family of any person renting or desiring to rent the said premises.

Section 2. Any one violating the Provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not exceeding five hundred dollars or imprisoned not exceeding one year or both, in the discretion of the Court.

Approved March 15, A. D. 1921.

TITLE TWENTY-FOUR

Crimes and Punishments

CHAPTER 216

OFFENSES AGAINST THE LIVES AND PERSONS OF INDIVIDUALS

AN ACT to amend Chapter 149 of the Revised Code relating to robbery.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 149 of the Revised Code of the State of Delaware be, and the same is hereby amended by striking out all of 4716 Sec. 20, and 4717 Sec. 21, and by inserting in lieu thereof the following new sections, to be known as, 4716, Sec. 20, and 4717, Sec. 21, to read as follows:

4716, Sec. 20. ROBBERY, DEFINED; WHEN COMMITTED ON HIGHWAY OR IN A DWELLING HOUSE; PENALTY; WHEN COMMITTED OTHERWISE; PENALTY:—If any person shall feloniously take from the person of another by violence, or by putting in fear, any money, or other property, or thing, which may be the subject of larceny, he shall be deemed guilty of robbery and felony; and, if such robbery be committed on or near the highway, or in a dwelling house, he shall be fined not less than five hundred dollars, shall be whipped at the County jail with forty lashes, and shall be imprisoned not less than twenty years; and, if such robbery be committed in any other place than on or near the highway, or in a dwelling house, such person shall be fined not less than five hundred dollars, shall be whipped at the County jail with forty lashes, and shall be imprisoned not less than ten years.

OFFENSES AGAINST THE LIVES AND PERSONS OF INDIVIDUALS

4717, Sec. 21. ATTEMPT TO ROB; PENALTY:—If any person shall attempt to commit a robbery, or shall with violence assault another with intent to commit a robbery, he shall be deemed guilty of felony, and shall be whipped at the County jail with forty lashes, and shall be fined not less than three hundred dollars, and imprisoned for not less than five years.

Approved February 16, A. D. 1921.

RESOLUTIONS

CHAPTER 217

SENATE CONCURRENT RESOLUTION No. 1..

Be it resolved by the Senate, the House concurring therein that the President Pro Tempore appoint a Committee of Two on the part of the Senate and the Speaker of the House appoint a Committee of three on the part of the House, to serve as a Joint Committee to notify the Governor that both houses of the General Assembly are duly organized and will be ready to receive any communications from the Governor at twelve o'clock noon on Thursday, January 6, 1921.

Approved January 13, A. D. 1921.

RESOLUTIONS

CHAPTER 218

A CONCURRENT RESOLUTION establishing joint rules for the government of the two Houses.

Be it resolved by the House of Representatives of the State of Delaware in General Assembly met, the Senate concurring therein:

That the following are and shall be the joint rules governing the two Houses of the General Assembly of the State of Delaware:

Rule 1. Messages from one House of the General Assembly to the other shall be conveyed by such persons as a sense of propriety in each House may determine. Announcement shall be made by the Sergeant-at-Arms of the House to which the message is being conveyed and the message shall be respectfully communicated to the presiding officer by the person or persons conveying the same.

Rule 2. Every bill and resolution upon being messaged from one House to the other shall be receipted for by the chief clerk of the House receiving the same and all papers on which the said bill or resolution may be based, shall be transmitted at the same time.

Rule 3. Every bill and resolution, to which the concurrence of both Houses of the General Assembly may be necessary, shall, upon its final passage in both Houses, be delivered by the chief clerk of the House in which such bill or resolution originated into the custody of the Bill Clerk of said House, and it shall be the duty of the Bill Clerk of the Senate and the Bill Clerk of the House of Representatives jointly to see that such bill or resolu-

RESOLUTIONS

CHAPTER 220

SENATE CONCURRENT RESOLUTION No. 2.

Be it resolved, by the Senate, the House concurring therein, that a committee of two on the part of the Senate and three on the part of the House be appointed, with power to act, to make arrangements for the inaugural ceremonies of Hon. William D. Denney, Governor-elect.

Approved January 13, A. D. 1921.

RESOLUTIONS

CHAPTER 221

JOINT RESOLUTION to pay expenses of the Inauguration of Governor William D. Denney.

Be it resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

That the State Treasurer be and is hereby authorized and directed to pay the expenses of the inauguration of Governor William D. Denney upon the presentation of bills approved by the Joint Committee of the Legislature appointed to arrange for the Inaugural Ceremonies and that the sum of Four Thousand Six Hundred Sixty-nine Dollars and Sixty-two Cents is hereby appropriated for this purpose out of any moneys of the State not otherwise appropriated.

Approved February 2, A. D. 1921.

RESOLUTIONS

CHAPTER 222

SENATE JOINT RESOLUTION providing for the furnishing of stamps to the members of the General Assembly.

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

, That the State Librarian be instructed to furnish postage stamps for the use of the members of the House of Representatives and the Senate of the State of Delaware, the amounts furnished to be deducted from their twenty-five dollar allowance; and the State Librarian is hereby authorized to draw on the State Treasurer for a sufficient amount to cover the expenditure authorized by this resolution.

Approved January 20, A. D. 1921.

RESOLUTIONS

CHAPTER 223

SENATE CONCURRENT RESOLUTION.

Be it resolved by the Senate of the State of Delaware in General Assembly met:

That the State Treasurer is hereby authorized and directed to pay such approved bills as are chargeable to the regular, usual and annual appropriations made by General Assembly, which shall become due and payable between the date of the close of the fiscal year, ending January tenth 1921, and the passage of the General Appropriation Bill.

Approved January 13, A. D. 1921.

RESOLUTIONS

CHAPTER 224

SENATE JOINT RESOLUTION.

WHEREAS, by clerical error at the last regular session, the appropriation, made annually for publication of State Archives, was omitted and

WHEREAS, by clerical error at the Special Session the appropriation was omitted for publication of the Laws of the said Special Session and the attending journals of the House and Senate; Now, Therefore,

Be it resolved, by the Senate and House of Representatives in General Assembly met:

That the State Treasurer is hereby authorized and directed to pay out of the Treasury any moneys not otherwise appropriated, all the unpaid bills authorized by the Special Session of 1920, as well as any other bills which were not covered by the appropriation made to the Board of State Supplies for the year, 1920.

Approved January 20, A. D. 1921.

RESOLUTIONS

CHAPTER 225

SENATE JOINT RESOLUTION authorizing and requiring the Secretary of State to furnish to each member of the Ninety-eighth General Assembly a permanently bound copy of the Revised Code of the State of Delaware, and of Volumes 28, 29, 30 and 31, Laws of Delaware.

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section .1. That the Secretary of State be and is hereby authorized and required to furnish and deliver to each member of the Ninety-eighth General Assembly a copy of the Revised Code of the State of Delaware, and of Volumes 28, 29, 30 and 31, Laws of Delaware.

Approved January 20, A. D. 1921.

RESOLUTIONS

CHAPTER 226

SENATE CONCURRENT RESOLUTION

WHEREAS, the President of Delaware College has requested that the members of the General Assembly shall visit Delaware College on Friday, January 21, 1921.

Now therefore, be it resolved by the Senate, the House of Representatives concurring therein:

That the members of the General Assembly shall visit Delaware College on Friday, January 21, 1921, and that both Houses of the General Assembly shall adjourn on Thursday afternoon, January 20th, until Monday morning, January 24th at 10.30 o'clock.

Approved January 20, A. D. 1921.

RESOLUTIONS

CHAPTER 227

SENATE CONCURRENT RESOLUTION No. 11.

Be it resolved by the Senate and House of Representatives that the two Houses of the General Assembly shall assemble in Joint Session in the Hall of Representatives at 2 o'clock P. M. on Wednesday, January 26th, 1921, to hear a report from the State Highway Department.

Approved February 1, A. D. 1921.

RESOLUTIONS

CHAPTER 228

SENATE CONCURRENT RESOLUTION No. 10.

Be it resolved by the Senate of the State of Delaware, the House of Representatives concurring therein:

Section 1. That the President Pro Tempore of the Senate shall appoint five members of the Senate and the Speaker of the House of Representatives shall appoint five members of the House who shall constitute a Committee of the General Assembly to visit the New Castle County Workhouse on Friday, January 28th, 1921.

Approved January 27, A. D. 1921.

RESOLUTIONS

CHAPTER 229

HOUSE CONCURRENT RESOLUTION No. 3 requiring the State Highway Department to furnish the General Assembly with information relating to expenditures in connection with the establishment and maintaining of the Police Department of the State Highway Department.

Be it resolved by the House of Representatives of the State of Delaware in General Assembly met, the Senate concurring therein:

That the State Highway Department be and is hereby instructed and directed to furnish to the General Assembly on or before the first day of February, 1921, detailed information showing the amounts expended by said Department in the establishing and maintaining the Police Department of said State Highway Department; that said report shall show the amounts and time when equipment was purchased and the names and annual salary of officers employed and the amounts expended monthly for maintenance.

Approved January 25, A. D. 1921.

RESOLUTIONS**CHAPTER 230****SENATE CONCURRENT RESOLUTION**

Be it resolved by the Senate, the House of Representatives concurring therein:

That the Senate and House of Representatives shall meet in Joint Session in the Hall of Representatives on Thursday, February 3, 1921, at 1.30 o'clock P. M., to hear the report of the Trustees of the Delaware State Hospital at Farnhurst.

Approved February 3, A. D. 1921.

RESOLUTIONS

CHAPTER 231

STATE CONCURRENT RESOLUTION No. 13.

Be it resolved by the Senate, the House of Representatives concurring therein, that the Joint Committee of the two Houses on Education, be and they are hereby authorized to employ the services of a tax expert to advise them in preparing recommendations for taxation for school purposes.

Approved February 4, A. D. 1921.

RESOLUTIONS

CHAPTER 232

HOUSE CONCURRENT RESOLUTION.

WHEREAS, The Members of the General Assembly were so delightfully entertained by the Kiwanis Club on Wednesday evening, February 9th, that they had no opportunity to properly express their appreciation of the hospitality and courtesy of their hosts; therefore

Be it resolved by the Senate and House of the General Assembly:

That they wish hereby to convey to the President and Members of the Kiwanis Club their hearty thanks for a most enjoyable evening's entertainment, and to express their hope that this happy meeting may lead to a better acquaintance of Club Members and Members of the Assembly, and also lead to an increased interest of business men in the work of the Assembly, and a sense of the responsibility of all citizens for the better conduct of public matters; and be it

FURTHER RESOLVED, That a copy of this Resolution be forwarded to the Secretary of the Kiwanis Club.

Approved February 23, A. D. 1921.

RESOLUTIONS

CHAPTER 233

SENATE CONCURRENT RESOLUTION No. 16

Be it resolved that a Committee on the part of the Senate appointed by the President Pro Tempore and a Committee on the part of the House appointed by the Speaker shall visit the Delaware State Hospital at Farnhurst and the Delaware Industrial School for Girls on Wednesday, February 9, 1921.

Approved February 15, A. D. 1921.

RESOLUTIONS

CHAPTER 234

HOUSE CONCURRENT RESOLUTION No. 10.

Be it resolved by the House of Representatives, the Senate concurring therein, that the two Houses meet in joint session on Thursday, February 10th, at one o'clock, to hear a discussion of the Child Welfare and Mothers' Pension Bills.

Approved February 23, A. D. 1921.

RESOLUTIONS

CHAPTER 235

HOUSE CONCURRENT RESOLUTION providing for properly commemorating the birthday of Abraham Lincoln and appointing a committee to arrange a proper program therefor.

Be it resolved by the House of Representatives of the State of Delaware in General Assembly met, the Senate concurring therein:

Section 1. That on Friday, February eleventh, 1921, at two o'clock in the afternoon, the Senate and House shall meet in joint session for the purpose of properly commemorating the birthday of Abraham Lincoln.

Approved February 23, A. D. 1921.

RESOLUTIONS

CHAPTER 236

HOUSE CONCURRENT RESOLUTION No. 12.

Be it resolved by the House of Representatives, the Senate concurring therein:

That the Honorable P. P. Claxton, who is advertised to address the Legislature at the Dover Opera House on Friday next, in the interest of education, be and he is hereby invited to deliver said address in the House of Representatives instead of the Opera House. Mr. Claxton's address will immediately follow the Lincoln Day exercises.

And the Senate and House, for the purpose of hearing said address, shall meet in joint session in the Hall of the House on Friday next, February 11th, at three o'clock, P. M.

Approved February 23, A. D. 1921.

RESOLUTIONS

CHAPTER 237

HOUSE CONCURRENT RESOLUTION No. 11.

Be it resolved by the House of Representatives, the Senate concurring therein:

That the President Pro Tempore of the Senate and the Speaker of the House be and they are hereby authorized to each appoint five members of their respective Houses which shall constitute a Committee to visit the City of Wilmington on Wednesday evening, February 16th, as guests of the Americanization Commission of said city.

Approved February 23, A. D. 1921.

RESOLUTIONS

CHAPTER 238

SENATE CONCURRENT RESOLUTION No. 17.

Be it resolved by the Senate, the House of Representatives concurring therein, that a Committee of the General Assembly, consisting of three members to be appointed by the President Pro Tempore of the Senate, and three members to be appointed by the Speaker of the House of Representatives, shall attend a meeting in the City of Wilmington, on Wednesday evening, February 16, 1921, at eight o'clock, to observe the working and effect of the Americanization Classes of Delaware.

Approved February 16, A. D. 1921.

RESOLUTIONS

CHAPTER 239

SENATE CONCURRENT RESOLUTION No. 20

Be it resolved by the Senate, the House of Representatives concurring therein, that a Committee of the General Assembly, of whom two shall be appointed by the President Pro Tempore of the Senate, and three by the Speaker of the House of Representatives, shall visit the Ferris Industrial School of Delaware, the Blind Shop, and Edgewood Sanitarium, on February twenty-third, 1921.

Approved February 23, A. D. 1921.

RESOLUTIONS

CHAPTER 240

SENATE CONCURRENT RESOLUTION No. 19.

Be it resolved by the Senate of the State of Delaware, the House of Representatives concurring therein:

That the Senate and House of Representatives shall meet in Joint Session, from two o'clock until three o'clock in the afternoon of Thursday, February 24th, 1921, for the purpose of hearing the Joint Committee of State Organizations of Women, in reference to matters now pending before the Legislature.

Approved February 18, A. D. 1921.

RESOLUTIONS

CHAPTER 241

SENATE CONCURRENT RESOLUTION No. 33.

Be it resolved by the Senate, the House of Representatives concurring therein:

That the President Pro Tempore of the Senate appoint a Committee of Two, and the Speaker of the House appoint a Committee of Three to arrange for a reunion of this General Assembly, at a time and place to be determined by said Committee.

Approved May 16, A. D. 1921.

RESOLUTIONS

CHAPTER 242

SENATE CONCURRENT RESOLUTION No. 3.

Be it resolved by the Senate, the House of Representatives concurring therein:

That it is the sense of the General Assembly that the State of Delaware be appropriately represented at the Inaugural Ceremonies of the Honorable Warren G. Harding as President of the United States, and that a Committee consisting of the President Pro Tempore of the Senate and one Senator to be appointed by him and the Speaker of the House of Representatives and one Representative to be appointed by him be and the same are hereby constituted a committee with power to make arrangements for their proper representation of our State at the said Inaugural Ceremonies.

Approved January 13, A. D. 1921.

RESOLUTIONS

CHAPTER 243

SENATE CONCURRENT RESOLUTION No. 29.

WHEREAS, The Government of the United States, by the will of a united people, called upon the flower of her manhood to vindicate the right of democracy to live in the world in the dark days of 1917; and a magnificent army of American heroes was raised in the country, of which large units were transported across the ocean, an unheard of experience in the life of the American people; and

WHEREAS, many lost their lives in camps and on the battlefield, and many were returned broken in health and disabled by wounds, and all faced the risk of these sacrifices; and

WHEREAS, by the peculiar workings of the governmental machinery, men making short hours in government factories, and shipyards, were paid during the time of the service of our brave heroes abroad at wages from five to ten times as high as the same government paid to her splendid soldiers.

Now, Therefore, be it resolved by the Senate and the House of Representatives of the State of Delaware, in General Assembly met:

That it is time for some action on the part of the Federal

RESOLUTIONS

RESOLVED, That the Secretary of State of the State of Delaware be directed to convey a copy of this Resolution to each House of Congress at the approaching Special Session.

Approved April 4, A. D. 1921.

RESOLUTIONS

CHAPTER 244

SENATE CONCURRENT RESOLUTION No. 15.

WHEREAS, during the past year, all other commodity prices, except coal prices, have steadily decreased, while the price of coal to the consumer has mounted higher and higher; and

WHEREAS, there is a wide spread belief among the long suffering people of this Country that the mine owners have deliberately retarded production with a view to creating a scarcity and boosting the prices of this household necessity; now therefore

Be it resolved, by the Senate of the State of Delaware, the House of Representatives concurring therein:

That we favor some strong and effective Governmental action in the interests of the public at large for the control of industries that produce the prime necessities of civilization, such as coal, and we urge our Senators and Representatives in Congress to support such measures as will afford relief to the people; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to both of our Senators and our Representative in Congress from the State of Delaware.

Approved April 4, A. D. 1921.

RESOLUTIONS

CHAPTER 245

WHEREAS, there is at present no authoritative and reliable source of information relating to the subject of immigration and its varied phases, and

WHEREAS, this subject is one that has an important, if not a vital, bearing upon our domestic affairs, our international relations, and upon our future national welfare, and

WHEREAS, incorrect and dangerous conceptions of immigration result from the publication and dissemination of unrelated facts, unanalyzed statistics, and of unreliable, untrustworthy and prejudiced statements, therefore, be it

Resolved by the Senate of the State of Delaware, the House of Representatives concurring therein that the President of the United States and our Senators and Representatives in Congress be and they hereby are requested and urged to take such steps as may be necessary to provide for an adequate official study of all phases of the subject of immigration, to the end that there shall be made available authoritative information upon which an intelligent public opinion may be formed and appropriate legislation may be based.

Approved March 7, A. D. 1921.

RESOLUTIONS

CHAPTER 246

HOUSE CONCURRENT RESOLUTION.

Expressing the sorrow of the General Assembly of the State of Delaware at the news of the death of the Honorable Champ Clark, a Member of the House of Representatives of the Congress of the United States from the State of Missouri.

WHEREAS, the General Assembly of the State of Delaware learns with much sorrow of the death of the Honorable Champ Clark, a Member of the House of Representatives of the Congress of the United States from the State of Missouri; and

WHEREAS, the deceased was recognized by the people of the United States, irrespective of their party affiliations, as one of the great Americans of the age, and one who, in his long and honorable service in the Congress of the United States, gave to the people of his country the benefits of a ripe statesmanship and a true American; and

WHEREAS, in the death of Mr. Clark, the country sustains an irreparable loss; therefore,

Be it resolved by the House of Representatives of the State of Delaware in General Assembly met, the Senate concurring therein:

That the General Assembly of the State of Delaware by this resolution desires to express its sorrow at the great loss the country has sustained in the death of Mr. Clark and to extend to his bereaved family its sympathy in this hour of its great bereavement.

RESOLUTIONS

That a duly certified copy of this resolution be sent to the Speaker of the House of Representatives of the United States, and to the family of the deceased.

Approved March 15, A. D. 1921.

RESOLUTIONS

CHAPTER 247

WHEREAS, it is proposed by the State of Oregon to hold a World's Exposition in the City of Portland in the year 1925, which is designed to be a great demonstration of the progress of peaceful arts, and

WHEREAS, this step is designed to signalize the return by the World to the normal enjoyment of peace and progress and deserves the commendation of the World, now therefore be it

Resolved by the Senate of the State of Delaware, the House of Representatives concurring therein:

That the General Assembly of the State of Delaware endorses and commends the World Exposition to be held at Portland in the State of Oregon in the year 1925.

Approved March 7, A. D. 1921.

RESOLUTIONS

CHAPTER 248

HOUSE JOINT RESOLUTION authorizing the Governor of the State of Delaware to appoint a Commission to meet with a like Commission from the State of New Jersey and draft modifications of the laws regulating the taking of fish in the Delaware River and Bay and report same to the General Assembly of the State of Delaware.

WHEREAS, it is desirable to modify the laws regulating the taking of fish in the waters of the Delaware River and Bay between the States of New Jersey and Delaware; and

WHEREAS, under the terms of the compact now existing between the State of New Jersey and State of Delaware such modifications can be made only by concurrent legislation of the said two States; therefore,

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Governor of the State of Delaware is hereby authorized to appoint a Commission consisting of three members, to confer with a like Commission of the State of New Jersey, and draft modifications of the laws regulating the taking of fish in the aforesaid waters and to report the same to the General Assembly of the State of Delaware, now in session.

Approved February 4, A. D. 1921.

RESOLUTIONS

CHAPTER 249

SENATE JOINT RESOLUTION relating to Rehoboth Beach and Henlopen Light, on the Delaware Bay shore at Rehoboth.

WHEREAS, it has been definitely determined that the Break-water constructed in the Delaware Bay, at Lewes, Delaware, to protect the harbor at that point, has deflected the current during storms on to the beach at Rehoboth, and on to the banks in front of the Henlopen Light, so that the beach at Rehoboth is being destroyed, and threatens the breaking up of the summer resort, and the Light-House at Cape Henlopen known as, the Henlopen Light-House, is threatened; and

WHEREAS, two departments of the United States Government, viz., the War Department, and the Department of Commerce, are both necessarily involved in any discussion of the matter with the Federal Government, so that it is necessary to ask for relief from the Chief Executive. Now, therefore,

Be it resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

That the President of the United States be, and he is, hereby requested to have the situation at Rehoboth Beach, and the Henlopen Light, investigated on behalf of the Federal Government, and to provide for a conference between the proper officers and departments of the Federal Government, and the Governor of the State of Delaware, with a view to adopting practical means for counteracting the effects aforesaid.

Approved March 7, A. D. 1921.

RESOLUTIONS

CHAPTER 250

HOUSE JOINT RESOLUTION No. 2.

HOUSE JOINT RESOLUTION No. -creating a Commission to view the situation on Indian River Inlet, Sussex County, and report the advisability of opening said inlet from said Indian River into the ocean and the estimated cost thereof.

WHEREAS, the Commission appointed under Senate Joint Resolution No. 3 of the Ninety-seventh General Assembly to view and report on the condition of Indian River Inlet made a report to the Ninety-seventh General Assembly that the inlet was entirely closed and that the waters of Indian River Inlet and Rehoboth Bay, an area of twenty-five square miles, was thus rendered of no value for fishing purposes and constituted a menace to the health of the State and recommended the opening of an inlet into said waters; and

WHEREAS, By the Provisions of Chapter 17, Volume 30, Laws of Delaware, a Commission consisting of Asa Bennett, Robert H. Hollett and William H. *Zanzenbaker was appointed to continue until the end of the Ninety-eighth General Assembly, and was directed to open an inlet from the Atlantic Ocean to the waters of Indian River and Rehoboth Bay and to select the location and course of said inlet; and

WHEREAS, By said Act the appropriation provided for in said Senate Joint Resolution No. 3 of the Ninety-seventh General Assembly was continued for the use of the said Commission, and a further sum of not exceeding Five Thousand Dollars (\$5,000) was by said Act appropriated for the use of said Commission in the opening of said inlet; and

WHEREAS, The said Commission has found the appropriations so made largely insufficient to carry into effect the provisions of the said Act; now, therefore,

RESOLUTIONS

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Wallace S. Handy, Charles Hopkins, of Kent County, A. Jefferson Staats, of New Castle County, and Harry E. Clendaniel of Sussex County, be and they are hereby appointed Commissioners to view the present situation of the Indian River Inlet and to estimate the cost of making an inlet sufficient to admit the proper quantity of the waters of the ocean into Indian River and Rehoboth Bay and to report to this, the Ninety-eighth General Assembly, their findings as to the advisability of opening the inlet and the probable cost thereof.

Section 2. Said Commission shall be styled "A Commission To View Indian River Inlet."

Section 3. That said Commission may employ an Engineer and necessary assistants, and the expense thereof, together with the expense of the said Commission, not to exceed the sum of Three Hundred Dollars, is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be drawn on the warrants of the said Commission, or a majority of them, and approved by the Governor.

Section 4. That said Senate Joint Resolution No. 3, of the Ninety-seventh General Assembly, entitled, "Creating a Commission to View the Situation on Indian River Inlet and Report the Estimated Cost and Advisability of Opening Same," approved March 6th, A. D. 1919, and Chapter 17, Volume 30, Laws of Delaware, entitled, "An Act Providing for Opening an Inlet for Indian River and Rehoboth Bay to Be Known as The Indian River Inlet," be and they are hereby repealed.

Approved February 4, A. D. 1921.

RESOLUTIONS

CHAPTER 251

JOINT RESOLUTION appointing Directors on the part of the State for the Farmers' Bank of the State of Delaware, at Dover.

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That Cornelius B. Hope, William D. Denney and William Watson Harrington, be and they are hereby appointed Directors, on the part of the State, of the Farmers' Bank of the State of Delaware at Dover.

Approved March 25, A. D. 1921.

RESOLUTIONS

CHAPTER 252

JOINT RESOLUTION appointing Directors on the part of the State for the Farmers' Bank of the State of Delaware for the branch at Wilmington.

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That J. Ernest Smith, David Snellenburg and Ezekiel Cooper be and they are hereby appointed Directors on the part of the State, of the Farmers' Bank of the State of Delaware for the Branch at Wilmington.

Approved March 28, A. D. 1921.

RESOLUTIONS

CHAPTER 253

JOINT RESOLUTION appointing Directors on the part of the State for the Farmers' Bank of the State of Delaware for the branch at Georgetown.

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That John G. Townsend, Jr., William J. Thoroughgood and Walter B. Hilyard, be and they are hereby appointed Directors, on the part of the State, of the Farmers' Bank of the State of Delaware for the branch at Georgetown.

Approved March 28, A. D. 1921.

RESOLUTIONS

CHAPTER 254

HOUSE JOINT RESOLUTION authorizing the Secretary of State to have printed the General Corporation Law as amended.

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That the Secretary of State is hereby authorized to have printed in pamphlet form, with a proper index thereto, five thousand copies of the General Corporation Law, as amended, for public distribution, in order to further the interests of the State.

Approved March 15, A. D. 1921.

RESOLUTIONS

CHAPTER 255

HOUSE JOINT RESOLUTION authorizing the Secretary of State to have printed the Election Laws.

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That the Secretary of State be and he is hereby authorized to have printed in pamphlet form, with an index thereto, five thousand copies of the Election and Registration Laws with the recent amendments thereto, for the information of those who register the vote and hold the elections of this State, and the Secretary of State is hereby directed and authorized to print as a part of said pamphlet Sections one, two and three of Article Five of the Constitution of the State of Delaware.

Approved March 15, A. D. 1921.

RESOLUTIONS

CHAPTER 256

HOUSE JOINT RESOLUTION authorizing the Secretary of State to have printed the Constitution of the State of Delaware.

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That the Secretary of State is hereby authorized to have printed in pamphlet form, with a proper index thereto, two thousand copies of the Constitution of the State of Delaware, as amended, for distribution among the people of the State.

Approved March 15, A. D. 1921.

RESOLUTIONS

CHAPTER 257

HOUSE JOINT RESOLUTION authorizing the State Bank Commissioner to have printed all Laws relating to Banks and Building and Loan Associations.

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That the State Bank Commissioner is hereby authorized to have printed in pamphlet form, in one volume, with a proper index thereto, fifteen hundred copies of all laws relating to banks and building and loan associations.

The preparation and supervision thereof shall be done by the State Bank Commissioner, and the printing shall be done upon the authority of the State Board of Supplies, as other State printing is done.

Approved March 29, A. D. 1921.

RESOLUTIONS

CHAPTER 258

SENATE CONCURRENT RESOLUTION No. 32.

Be it resolved by the Senate of the State of Delaware, the House of Representatives concurring therein:

That the State Board of Supplies be and the same is hereby authorized and directed to have printed for distribution twenty-five hundred copies of the New School Laws.

Approved April 1, A. D. 1921.

RESOLUTIONS

CHAPTER 259

SENATE CONCURRENT RESOLUTION No. 27.

Be it resolved by the Senate, the House of Representatives concurring therein, that the President Pro Tempore of the Senate shall appoint two members of the Senate, and the Speaker of the House of Representatives shall appoint two members of the House, to constitute a Joint Committee of the General Assembly to audit the accounts of the State Treasurer, the Secretary of State, and other State officers and State institutions; and they are hereby authorized to employ expert assistance, and are directed to report their findings to the General Assembly on or before the twentieth day of March, 1921.

Approved March 14, A. D. 1921.

RESOLUTIONS

CHAPTER 260

SENATE CONCURRENT RESOLUTION No. 26.

Be it resolved by the Senate, the House of Representatives concurring therein:

That the State Board of Education be and it is hereby authorized and directed to propose and submit to each House of the General Assembly on or before the fifteenth day of March, 1921, a budget showing in detail as near as may be the amounts necessary to conduct the Public Schools of the State in the school year beginning in 1921, and the school year beginning in 1922, under the plans of expenditure proposed by House Bill No. 141, now before the General Assembly.

Approved March 14, A. D. 1921.

RESOLUTIONS

CHAPTER 261

SENATE CONCURRENT RESOLUTION No. 31.

Be it resolved by the Senate of the State of Delaware, the House of Representatives concurring therein:

That the Committees on Education of the two Houses of the General Assembly, shall meet in the State House at Dover on the twenty-ninth day of April, 1921, to take up the consideration of the school budgets to be furnished by the State Board of Education on that day, and if the State Board of Education shall fail to present the said budgets on that day, the two Committees on Education, acting as a Joint Committee of the General Assembly, shall prepare and have ready for the General Assembly on the ninth day of May, a complete school budget for each of the school years, beginning respectively July the first, 1921, and July the first, 1922. And the said Joint Committee on Education is hereby authorized to employ counsel and other assistants for the proper preparation and consideration of said budgets.

Approved April 1, A. D. 1921.

RESOLUTIONS

CHAPTER 263

SENATE CONCURRENT RESOLUTION No. 25

. *Be it resolved by the Senate, the House of Representatives concurring therein:*

That no business requiring the approval of the Governor, excepting the Omnibus Appropriation Bills and the General Claims Resolution shall be considered after the Legislative Day of March 22, 1921, and that both Houses of the General Assembly shall adjourn at the close of the Legislative Day of March 22, 1921, to twelve o'clock noon on March 25, 1921.

AND BE IT FURTHER RESOLVED that the hour of three o'clock on the afternoon of March 25, 1921, be and is hereby fixed as the time for the adjournment sine die of both Houses of the Ninety-eighth General Assembly.

Approved March 7, A. D. 1921.

RESOLUTIONS

CHAPTER 264

SENATE CONCURRENT RESOLUTION No. 28.

Be it resolved by the Senate of the State of Delaware, the House of Representatives concurring therein:

That the time limit for the consideration of business, other than appropriation bills and claims resolutions, and for final adjournment, be and the same is hereby extended; and

BE IT FURTHER RESOLVED, that both Houses of the General Assembly shall adjourn at the close of the Legislative Day of March twenty-fifth, A. D. 1921, to twelve o'clock noon, on the thirtieth day of March, A. D. 1921, after which time no business requiring the approval of the Governor other than the Appropriation Bills and the General Claims Resolutions, shall be considered; and

BE IT FURTHER RESOLVED, That the hour of three o'clock, on the afternoon of the thirtieth day of March, A. D. 1921, be and the same is hereby fixed as the time for the adjournment sine die of both Houses of the Ninety-eighth General Assembly.

Approved March 25, A. D. 1921.

RESOLUTIONS

CHAPTER 265

SENATE CONCURRENT RESOLUTION No. 30.

Be it resolved by the Senate, the House of Representatives concurring therein:

That the General Assembly shall adjourn at the close of business on the thirtieth day of March, A. D. 1921, until the ninth day of May, A. D. 1921, at twelve o'clock noon, for the purpose of adopting the budget for the free public schools for the year beginning July first, 1921, and for the year beginning July first, 1922, and that the General Assembly shall, on the said ninth day of May, A. D. 1921, consider no other business, and both Houses of the General Assembly shall adjourn at three o'clock in the afternoon on May ninth, 1921, sine die.

And that, the State Board of Education shall prepare and present to the President Pro Tempore of the Senate and to the Speaker of the House of Representatives, copies of the school budgets for the two years named in this Resolution, on or before the twenty-ninth day of April, A. D. 1921.

Approved April 1, A. D. 1921.

RESOLUTIONS

CHAPTER 266

SENATE CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House of Representatives concurring therein:

That both Houses of the General Assembly shall adjourn at the close of business on the tenth day of May, 1921, until Monday the sixteenth day of May, A. D. 1921, at twelve o'clock noon at which time the school budget shall be adopted by the General Assembly.

And that a Committee consisting of three members of the Senate to be appointed by the President Pro Tempore of the Senate and three members of the House of Representatives to be appointed by the Speaker of the House shall prepare and recommend a school budget for the school year beginning July 1, 1921, and for the school year beginning July 1, 1922, taking into account the probable income for school purposes for said years, and adjusting the school budget to the probable income.

And that the said Committee shall have authority to take the advice of State Officers, Officers of the State and County Boards of Education and such experts in finance and education as they shall see fit.

Approved May 16, A. D. 1921.

RESOLUTIONS

CHAPTER 267

AMENDMENT TO SENATE CONCURRENT RESOLUTION No. 35.

Amend the Resolution by striking out all after the enacting clause and inserting in lieu thereof the following:

"That both Houses of the General Assembly shall adjourn sine die at nine o'clock and thirty minutes in the evening on Monday May 16th, A. D. 1921."

Approved May 16, A. D. 1921.

TITLES OF PRIVATE ACTS

Excluded From Publication

CHAPTER 268

AN ACT to revive, re-enact and make valid an Act entitled "An Act to incorporate 'The Bank of Milford, Delaware' ", and to extend the time for organizing said bank; said Act being Chapter 308 of Volume 29 of the Laws of Delaware.

Approved March 28, A. D. 1921.

CHAPTER 269

AN ACT to incorporate the Commercial Trust Company.

Approved March 28, A. D. 1921.

CHAPTER 270

AN ACT to incorporate the "Brandywine Trust and Savings Bank."

Approved April 11, A. D. 1921.

PROCLAMATIONS OF THE GOVERNOR

PRINTED IN ACCORDANCE WITH PROVISIONS OF CHAPTER 10 OF THE
REVISED STATUTES OF 1915

PROCLAMATION

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

Inasmuch as the loyal citizens of Delaware have consistently done everything within their power to bring to our beloved country that victory which we have so recently won,

I, John G. Townsend, Jr., Governor of the State of Delaware, do now proclaim that every State office be directed and every person within the State of Delaware be requested from this day forward until the tenth day of May to display the American Flag and such other flags of the Allies as he may possess, in honor of the victory achieved by our Country, and in aid of the Victory Liberty Loan.

It is meet and proper that we should fling out our banners far and wide. God's will has been done. Right has again conquered might. The thing which we prayed for is that which must now be paid for.

Every home, every place of business, every church and

PROCLAMATIONS

every school building, should display those colors which are emblematical of American efforts to make the world a better place to live in. We thus help the workers who are organized to distribute the Loan among the greatest number of people, and we again remind ourselves of the joyful opportunity of subscribing to this truly great Thanksgiving Loan, which brings so many of our lads home and honors those whose death has so consecrated the fields of France.

IN TESTIMONY WHEREOF, I, John G. Townsend, Jr.,
Governor of the State of Delaware, have here-
unto set my hand and caused the Great Seal of
this State to be hereunto affixed this twenty-
third day of April, in the year of our Lord, one
thousand nine hundred and nineteen, and of
the Independence of the United States of
America, the one hundred and forty-third.

[GREAT SEAL]

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,
Secretary of State.

PROCLAMATIONS

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STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

We in America learned long ago to esteem the work of the Salvation Army and to perceive the greatness and the beauty of its service to the poor, the unprotected and the forlorn in all the byways of civilization. This mighty body of consecrated workers moved our people to an affectionate regard by the nature of its service on the battlefields in France. Its members carried a passion for Christian service and sacrifice to the trenches, through the fire, wherever men were hurt or unhappy or in want. They were brothers and sisters to our absent men. The highest tribute to their zeal has come from other devoted men and women in the Red Cross, Y. M. C. A., the Knights of Columbus and the Jewish Welfare Board with whom they co-operated.

THE SALVATION ARMY now proposes to extend its service in the United States and to contribute the inspiration of its great purpose to the times ahead. In the week beginning May 19 this great Army of Service will go before the American people with an appeal for financial aid and support. It has always given more than it has received. Its cause is one which I deem worthy of the confidence and support of all our people.

THEREFORE, I, John G. Townsend, Jr., Governor of the State of Delaware do cordially commend the Salvation Army and call upon our people to give earnest heed to its call for assistance to make liberal donations to its praiseworthy work that we may thus make manifest a resolute purpose to give unstinted aid and support gladly to all those noble and self-sacrificing agencies which under God, give help and hope to all who may be in need. And in furtherance of this movement I proclaim Sunday, May

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18th, 1919, "Salvation Army Day" and urgently recommend that the ministers of all our Churches present this cause to their congregations on that day and that all in charge of public meetings give some place in their order of exercises to the consideration of this most worthy cause.

GIVEN under my hand and the Great Seal of the State, at
Dover, the fifteenth day of May, in the year of
our Lord one thousand nine hundred and nine-
[GREAT SEAL] teen and of the Independence of said State
the One Hundred and Forty-Third.

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,
Secretary of State.

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STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

WHEREAS, in this period of readjustment of the internal affairs of our State and Nation, it is essential and desirable to adhere steadfastly through the principles of true Americanism, and

WHEREAS, the Roosevelt Memorial Association has for its purpose and object the preservation of the inspiring Americanism of Theodore Roosevelt, whose glowing patriotism wrought in the hearts of his countrymen a stronger love of country and a greater faith in the destiny of the Republic,

NOW THEREFORE, I, John G. Townsend, Governor of the State of Delaware, do proclaim Monday, October 27, 1919, Roosevelt Day and call upon the people of our State to commemorate those immortal ideals of service, sacrifice and devotion to our country, which he so well exemplified, and recommend that a program and exercises of a patriotic nature be conducted under the supervision of the governing bodies of the schools and institutions throughout the State.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be hereto affixed this 24th day of October, in the year of our Lord one thousand nine hundred and nineteen and of the Independence of the United States of America the one hundred and forty-fourth.

[GREAT SEAL]

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,
Secretary of State.

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STATE OF DELAWARE

EXECUTIVE DEPARTMENT

*THANKSGIVING DAY**PROCLAMATION*

Of all the Days of Honor celebrated, and Anniversaries of Events observed, none so much attracts as that of Thanksgiving. It is a day that appeals to all. All phases of political thought, all forms of creed, all rank of station, at this season of the year, bow in humble recognition of Divine Guidance and render thanksgiving for the blessings bestowed.

Through the years just past, our people have been blessed with the privileges to serve and sacrifice for those causes of Right and Justice as we, in our honor, conceived. Those principles, so courageously defended, stand today triumphant. In the glory of that achievement, we have lived and revelled during the past year. The God of Nations has been good to America. But with this Glory of Victory, there comes an obligation of citizenship that with our thanksgiving for blessings received, there needs to come a reconsecration for the duties that attend. In the unrest of mind, and confusion of action, incident to the war, we should sense seriously that our Ideals of Government conceived nobly by our fathers, and defended successfully by our sons, should, by our thought and energy, be ennobled gloriously for those who follow us. The year before us, if we live true to the thoughts and events of the past, will demand our best thought and consecrated energy. Democracy is no longer an American theory, but a world-acknowledged fact. And De-

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mocracy in its truest conception means advance in all those activities tending to the increased welfare of society. Holding this view, our tasks are well and practically defined.

For these blessings received, for these opportunities accorded, and in keeping with custom and Official Proclamation, I, John G. Townsend, Jr., Governor of the State of Delaware, do designate

THURSDAY

NOVEMBER THE TWENTY-SEVENTH

THANKSGIVING DAY

and seriously urge that our citizens relieve the tensivity of thought and complexity of routine, and render devoted thanks to Almighty God. May we perfect our sincerity for these blessings by a strong determination that the problems of the coming year shall receive all the honor and power that is ours to give.

IN TESTIMONY WHEREOF, I, John G. Townsend, Jr., Governor of Delaware, have hereunto set my hand and caused the Great Seal to be affixed at Dover, this eighteenth day of November, in the year of our Lord One Thousand Nine Hundred and Nineteen, and in the year of the Independence of the United States the One Hundred and Forty-fourth.

[Great Seal]

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,
Secretary of State.

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STATE OF DELAWARE

EXECUTIVE DEPARTMENT

WHEREAS, George M. Fisher, State Treasurer of the State of Delaware, has reported to me a list of corporations which for two years preceding such report have failed to pay the taxes assessed against them and due by them under the laws of this State;

NOW, THEREFORE, I, John G. Townsend, Jr., do hereby issue this Proclamation according to the provisions of Sections 75 and 76, Chapter 6, of the Revised Statutes of 1915, as amended, and do hereby declare under this act of the Legislature that the charters of the following corporations, reported as aforesaid, are repealed:

A. C. Axle Corporation, The, A. C. Grant Manufacturing Company, Abitibi Gold Mines Company, A. J. Jones Company, Incorporated, The, A. M. Leoni Manufacturing Company, About Town, Inc., A-To-Z Company, Acorn Movie Cartoon Company, Acme Non-Refill Bottle Company, Adjustable Mitre-Gauge Company, Adams Oil Company, Aimsville Chemical Company, Akron Labor Building Association, Aero Motors Corporation of America, Agnew Oil Corporation of Yutacan, Mexico, Airlite Realty Company, Aetna Security and Indemnity Company, Alberta Anthracite Coal Company, Algonquin Associates, Incorporated, The, Alaska Consolidated Mining Company, Alabama Farms Corporation, Aladdin Lamp Corporation, Alabama Live Stock Company, The, Alamo Oil and Development Company, Alabama Rural Credit Association, Albertson Stanton Engineering Company, Alta Vista Company, Alta Vista Spring Water Company, Alles-

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Barnes Wall Paper Company, Allegheny County Professional Men's Protective Association, The, Allison and Hadaway Corporation, Alloy Metals Company, Almy Manufacturing Company, The, Allegheny Oil and Gas Company, Alliance Tire and Rubber Company, Incorporated, The, Allen Universal Shoe Company, Allegheny Valley Oxygen and Hydrogen Company, Alunite Corporation, The, Alsover's Express and Storage Company, Amalgamated Intertrading Company, Amusements Securities Corporation, American Automobilists Association of Pittsburgh, Pa., American Advertising Syndicate, Incorporated, American Associated Pharmacists, Incorporated, American Aircraft Company, American Addressabak Company, American Biographical Association, The, American Ball Clay Company, American Brick Works, Incorporated, American Boizine Company, Inc., American Cabinet Company, American Chemical and By-Products Company, The, American Discount and Savings Company, American Exporters and Traders, Inc., American Enameling Manufacturing Corporation, American Esperantist Company, American Explosives Company, American Fuel Company, of New Jersey, American Fresh Air Device Corporation, American Food Products Corporation, American Freight Audit and Storage Company, American Grocery Stores, Inc., American Home Builders of Chicago, Inc., American Keene Cement Company, American Motor Truck Company, American Manufacturers and Exporters Association, American Metal Tempering Company, American Minerals Refining Company, American Novelty Company, American Oil and Gas Corporation, The, American Ores Company, American Ozone Company, American Porcelain Steel Range Company, American Plaster Company, The, American Real Estate Security Company, American Resilient Wheel Company, American Spring Tire Company, The, American Steel Cross Arm Company, The, American Smokeless Powder Corporation, American Tire Sales Corporation, American Truck and Wheel Corporation, American Vitaphone Company, American Wholesale Grocery Company, American Warranty Company, Inc., American Zeppelin Company, American Zinc Investment Company, Anti-Aircraft Arms Company, Anti-Creep Rail and Tie Plate Company, Anderco Food Products Co., Inc., Antlers Oil and Gas Company,

PROCLAMATIONS

The, Anglo-Oklahoma Oil and Gas Company, Anglo Peerless Pictures Corporation, Annual Plants Pulp and Products Company, Appalachian Iron Steel and Manufacturing Company, Arlington Automatic Arms, Incorporated, Arden Corporation, The, Arthur M. Matthes, Incorporated, Argo Motor Company, Incorporated, Artophone Record Company, The, Argo Sales Corporation, Arkless and Spence, Company, Armenta Steamship Company, Armstead United Companies, Inc., Asfasco Automobile Supply and Filling Station Company, Incorporated, Asphalt Corporation, The, Associated Investment Company, Association Merchants Advertising Company, Asbestos Products Company, Associated Steel Products Company, Associated Terminal Engineers, Incorporated, Atlas Chemical Company, Atlantic City and Cape May Ferry Company, Atlas Paint Company, The, Atlantic Seashore Club, Atlas Theatre Company of Pittsburgh, Automatic Button-hole Machine Company, Auto Cooling and Heating Corporation, Automatic Dispenser Machine Manufacturing Company, Automatic Fan Manufacturing Company, Automatic File Company, Austin Motors Company, Automobile Owners' Defense Corporation, Automobile Owners' Service Association, Automobile Owners' Co-operative Association of America, Aurora Publishing Company, Auto Safety and Protection Company of New York, Inc., Automatic Shaft Coupling Company, Auto and Supplies Sales Company, Automobile Traffic Indicator Company.

B. & O. Gold Mining Company, Bakers' Baking Company, Ball Bearing Chain Company, Ball Manufacturing Company, The, Baltimore Sales Company, Balto. Steel Engraving and Printing Company, The, Bankers Finance Corporation, Banner Paper Box Company, Banes Realty Company, Incorporated, Bankers' Syndicate, Bard Motor Car Company, Barber Motor Truck Corporation, Barnes Motor Company, The, Battier & Milburn, Inc., Bayer Building Company, Baum Building and Realty Company, The, Beecher Cutlery Company, Bell-Reeves Company, Bennett Company, The, Ben-Hur Company of America, Ben-Hur Chicago Motor Company, Ben-Hur Cleveland Motor Company, Ben-Hur Motor Company, Ben-Hur New York Motor Company, Ben-Hur St. Louis Motor Company, Bender, Robinson Company, Inc., Ben-

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zie County Association, Bergdahl Hardwood Forest Company, Bergoines, Inc., Bi-Bo Manufacturing Company, Big Ben Gold Mining Company, Birmingham Oil and Gas Company, Biondy & Co., Inc., Birmingham Motor Speedway Company, Birmingham and Northwestern Company, Blaugas Company of Cuba, Blanton Copper Mining Syndicate, Black Diamond Mining Company, Blackstone Motor Company, The, Blackham Mining Company, Blanchard River Oil Company, Blue "B" Line, Incorporated, Bludwine Operating Company, Bobcat Mining Company, Bogotana Packing House Company, Border Oil and Development Company, The, Bournonville Motors Corporation, Bowers Addograph Corporation, The, Bowes-Harloe Company, Brandywine Products Company, Briarfield Arms Company, Brighton Oil and Gas Company, Brightwell Realty Company, The, British-American Lumber and Fibre Products Company, Brittanie-Butte Copper and Zinc Mining Company, British Columbia Silver Mines Company, British Guiana Mining Company, Brittle Silver Mining Company, Inc., The, Broesel Motors Company, Bromide Oil and Gas Corporation, Bromine Products Company, Bronze Burial Case Company, Brownie Manufacturing Company, Brownsmor Mining and Milling Company, Brown Pharmaceutical Company, Bruston Automatic Electric Lighting and Power Company, Incorporated, Brunswick Shipbuilding and Dry Dock Company, Building Records Company, Bullock Company, The, Buffalo Curve Safety Pin Company, Buenaventura Company, Buffalo Oil and Gas Development Company, Burns Magazine Service, Inc., Business Service Company of Missouri.

Caldwell & Co., C. C. Truax & Co., C. E. H. Brelsford Company, C. Edwin Osborne & Co., C. F. Rudolph Estate, Incorporated, Cahaba Mineral Company, Calvert Quarries Company, The, Caloric Sales Co., The, Cabero Text Book Company, The, Cambria Bond and Guaranty Company, Campbell Machinery Company, Cannon Automobile Company, Canadian-American Railway Construction Company, Capsal Company, Inc., Canadian Farm Land Corporation, Cape May Transportation Company, Canada-Mexico Corporation, The, Capuzaya Mining Company, The, Canton Oxygen and Hydrogen Company, Capitol Realty and

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Investment Company, The, Capital Security Company, The, Caratasca Cattle Corporation, Caribbean Development and Trading Company, Caribbean Development Company, Caribbean Exploration and Trading Company, Car Lighting Company, Incorporated Carrm Road-Tour Motor Company, Caribbean Syndicate, Carvord Mining Company, Central American Timber Holding Company, Central Chemical Company, Incorporated, Catawba Gold Mining Company, Central Illinois Oil Production and Refineries Company, Cementite Paving and Construction Company, Century Petroleum Corporation, Central Security Company, Central and South America Chicle Company, Champion Zinc Corporation, Charles A. Deitz Company, Charles A. Hutton & Co., Inc., Charterhouse Company, The, Charles H. Tracy Company, Charles M. Jobson Company, The, Charles McDermott Company, Charles Wacker Company, The, Chester Briquette and Fuel Company, Chevalier Brothers Company, Chester Silk Company, Incorporated, Chipatogas Company, Chicago Air Brake Company, Chicago Chicken Company, Chicle Gum Company, Chicago-Gulf Transportation Company, Chicago Motion Picture Company, Cipol Manufacturing Company, City Rubber Corporation, Citizens' Telephone Company, The, Clark Paving Corporation, Clark Process Corporation, Clifton-Aldan Brick Company, Clover Leaf Propeller Company, Clinton Realty Company, Coalson Company, Cocoanut Products Corporation, Coleman Animated Sign Corporation, The, Colorado Inhaler Company, Coleman Leasing Corporation, The, Colcin Mining and Milling Company, Incorporated, Collins Rotary Razor Company, Collossus Copper Company, Columbian Concrete Steel Bar Company of New York, Colonial Milling and Mines Company, Color Process Plate Company, The, Columbia Transport Line, Inc., Commercial Art Company, Commercial Auto Wheel Company, Comer Cotton Oil Company, Commonwealth Electric Washer Company, Commercial Finance Corporation, Community Gasoline Company, Commercial Investments Corporation, Commonwealth Lumber Company, Commercial Organic Chemical Company, Inc., Commonwealth Realty Corporation of Pensacola, Commercial Sales Company, Conley Electric Furnace Company, Incorporated, The, Congress Manu-

PROCLAMATIONS

facturing Company, The, Concert Production Company, Conrath Gas Water Heater Company, Conservation Company, Consumers' Cultivating Corporation, Consumers Candy Stores, Inc., Consolidated Concrete Pile-Bulkhead Company, Consolidated Fruit Corporation, Consolidated Mail Order Company, Incorporated, Consolidated Manganese Corporation, Consolidated Mineral Company, Consolidated Manufacturing Company, Consolidated Securities Corporation, Consolidated Wire Company, Continental Construction Company of Philadelphia, The, Continental Securities Company, Continental Stores Company, Continental Trust Company, The, Co-operative Florida Land Company of Palm Beach County, Co-operative Gasoline Sales Company of New York, Co-operative Investment Company of Pennsylvania, Co-operative Stores Company, Copper Products Corporation, Corn Publishing Company, Cosmic Film Company, Costa Rica Coffee Plantation, Incorporated, Costa Rica Tropical Fruit Company, Courier Publishing Company, "Cozey Homes" Corporation, Craig Automatic Street Indicator Company, Crane Pocket Safety Razor Company, Incorporated, Creosotol Company, Criminal Identification Society, Inc., Croft Lumber Company, Crowson Air Shock Absorber, Incorporated, Crowther Motors Corporation, Crystal Manufacturing Company, Crowther Motor Company, The, Crown Spring Water Company, Cuban Fruit Company, Cumberland Realty and Investment Company, The, Cuban Securities Corporation, Cupror Metals Company of America, Custer Standard Pressed Steel Auto-Wheel Company of America, The.

D'Arneau Chemical Company, D'Arneau Plotts Chemical Company, D. D. Benlon Manufacturing Company, D. G. Pfeiffer Piano Company, Daily Grocer's, Incorporated, D. R. Porter Shoe Company, Dann Insert Company, Darlington Investment Company, Dann Products Company, Dannemora Saw and Tool Company, Darnall Steam Sterilizer Products Company, Dayton Service Bureau, Incorporated, De Bats Carborundum Crucible and Furnace Company, De Haven Ross & Co., De Leon & Parker, Incorporated, De Luxe Miniature Corporation, DeMartino Fluid Transmission Company, Deer Island Lumber Company, Incorporated, Delmarvia Automobile Company, Delight Products Com-

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pany, Delaware Fruit and Produce Company, Delaware Guarantee and Securities Company, Delaware Gulf and Pacific Transportation Company, Delaware Horse Shoe Company, Delaware Hydraulic Stone Company, The, Delaware Liquor Company, Delaware River Pier Company, Delaware Steel and Ordinance Company, Delaware Tire and Supply Company, Delaware Wine and Liquor Company, Dento Chemical Company, Denniston & Co., Detroit Film Corporation, Detector Lock Company, Incorporated, Detroit Tapering Radiator Company, Diagraph Carbon Paper Company, Digest Company, The, Diamond Egg and Poultry Farm, Incorporated, Dictator Motor Car Corporation, Diamond Manufacturing Company of Delaware, Diamond State Investment Company, Direct Dairy Distributors Company, Dime Line Steamboat Company, Dillon Petroleum Company, Discount Saving Company, Doak Construction Company, Dollar Department Stores Company, Dominion Portland Cement Company, Don Carlos Mining Company, The, Don Farnsworth, Incorporated, Doremus Machine and Plating Company, Douglas-White Company, The, Drew Automatic Pump Company, Du Pont Company, Duer Motor Car Corporation, Duntley Company, The, Duntley Manufacturing Company, Durning & Morse Company.

Eastern Automobile Company, E. Burke & Co., Eastern Cigar Company, Incorporated, E. C. Hazzard & Co., East Coast Sales Company, Eastern Construction Company, Eastern Development and Manufacturing Company, Eagle Furniture Company, Eagle Film Manufacturing and Producing Company, Easton Granulated Slate Company, East Greenville Realty Company, The, E. L. Jackson Company, Eastern Metals Mining Company, E. M. Davis Products Company, Eastman Motor Truck Company, The, Eastern Refining Company, Eagle Talking Machine Company, Incorporated, Easy Tread Flooring Company, Eastern Texas Oil, Gas and Mineral Company, The, E. W. Woolridge Company, Economy Brewing Society, Econoline Chemical Company, The, Eclipse Chemical Fire Extinguisher Company, Economic Propeller Company, Economy Printers Ink Company, Edward F. Gerber Company, Educational Feature Syndicate, Efficiency Publishing Company, Edgewood Photoplay Company, The, Effi-

PROCLAMATIONS

ciency Turbine Company, Incorporated, Eimer Auction and Sales Company, Electric Bulletin Display Company, Elblight Company, The, Electro Copper Products Company, Electric Heat, Fuel and Humidity Control Company, The, Electric Light and Heat Controller Manufacturing Company, Johnstown, Pa., Electro-Pneumatic Gear Shift Corporation, Electric Standard Railways Company, Electric Sanitary Laundry, Incorporated, Electric Savings and Purchasing Association, The, Electric Subsurface Company, Electro Vanadium Reduction Company, The, Empire Service Corporation, Equitable Endowment Company of Baltimore City, Enterprise Foundry Company, The, Equitable Guaranty Corporation, Enterprise Land and Stock Company, The, Enterprise Lumber Company, Enterprise Machine Products Corporation, The, Empire Rifle Syndicate, Incorporated, Equitable Savings System, Incorporated, of Baltimore, Equitable Underwriting Company, Erave Amusement Company, Eureka-Agnada-Tancene Petroleum Corporation, Eureka Automatic Electric Signal Company, Eureka Chemical Company, Incorporated, European Cement Gun Company, Eureka Cutting Machine Company, Ethical Drug Stores Corporation, Essential Oil and Produce Company, Es-Stay Corset Company, Cambridge Springs, Pa., The, Eureka Sales Corporation, Ever Bright Oil and Chemical Company, The, Exactograph Company, The, Evans City Oil Company, Excelsior Oil Company, Exposition Photoplay Company, Expansion Tie Plate Corporation, Exposition Park Association, Everglades Plantation Company, The, Everhart Taxicab Service Company, The.

F. A. Sutliff Company, F. B. Irvine Cigar Manufacturing Company, The, Famol Company, The, Factory Distributing Company, The, F. F. Proctor Broad Street Elizabeth Properties Company, F. F. Proctor Broad Street Elizabeth Theatre Company, F. F. Proctor Jersey Street Elizabeth Properties Company, F. F. Proctor Jersey Street Elizabeth Theatre Company, F. F. Proctor Lyric Newark Theatre Company, F. F. Proctor Market Street Newark Properties Company, F. F. Proctor Market Street Newark Theatre Company, F. F. Proctor Park Place Newark Theatre Company, F. F. Proctor Plainfield Theatre Company, F. M. Williams Company, The, Factotum Oil and Gas Company, Fairview

PROCLAMATIONS

Pharmacol Company, Farm and Dairy Publishing Company, The, Farmers' National Catalogue Association, Federal Aircraft and Motor Corporation, Federal Bond and Mortgage Company, Fenton Beach Amusement Company, Federal Commercial Company, Felix Cotton and Development Company, Incorporated, Federal Engineering Corporation, Federal Express Company, Felber Film Company, Federal Film Houses, Incorporated, Feature Film Corporation, Federal Feature Films Corporation of New York, Federal Manganese Products Company, Federal Primer Corporation, Federal Sulphur Company, Ferry Tire and Rubber Company, Fibre Board Box Company, Film Fire Prevention Corporation, Fibre Process Company, The, Fidelity Securities Company, First Amortization Mortgage and Bond Company of America, The, Finance Corporation, The, First National Stores, Incorporated, Fire Protective Adjustment Company, Five Fridays Company, Flannery Construction Company of America, Fleer Electric and Manufacturing Company, Flint Business College, Incorporated, Florida Grapefruit Growers' Corporation, The, Florida Pecan Endowment Company, Flick-Worman Vehicle Leasing Company, Florida West Coast Company, Fox Automatic Exercise Company, Ford Film Company, Foreign Industrial Corporation, Foral Products Company, Fox Pneumatic Shock Absorber Company, Foreign Trade Corporation, France Films, Incorporated, Fraternal Lodge Supply Company, The, Frank W. Whiteman Company, French-Cunningham Company, French's Hotel Corporation, Freda Macaroni Company, Frederick W. Huertas Logging and Lumber Company of Florida, Friars Chemical Company, Fumojen Company, Fullard Drying Products Company, Fuel Economy Engineering Company.

G. A. Baker & Co., Gale Magic Window Company, Garterless Hosiery Company, The, General Commodities Company, General Cement Gun Company, Georgia Farms Company, General Latin-American Corporation, Gem Movies Company, Gey Mar Company, George M. Pierce Company, General Oil Company, Geo. P. Dykman Company, The, General Public Service Corporation, Genoa Rubber Manufacturing Corporation, General Scientific Equipment Company, General T. Kosciuszki Polish-

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American Citizen Club, General Tourist Company, The, Geo. W. Bennethum, Incorporated, General Zinc Syndicate, Giant Wheel Corporation, Girard Company, Pharmaceutical Chemist, The, Glen Avon Farm Company, Globe Chemical Company, Glen Islands Coaster Company, Glen Islands Corporation, Globe Scale Vending Company, Globe Ship Corporation, Goodjoy Sales Company, Goodwin Sign and Specialty Company, Gold Hill United Mines Company, Golden Tone Needles and Phonograph Company, Gould Commercial Company, Gould Exploration Company, Gotham Pictures Corporation, Goslin Shoe Company, Gould-Wilhelm Company, Grape-Ola Corporation, Gray Body Company, The, Graphite Lubricator Company, Grayson Lumber Company, Gray Manufacturing Company, Great Central Tailoring Company, The, Grenade Company of America, The, Great Eastern Mineral Springs Water Company, Green-castle Fertilizer, Hide and Rendering Company, Greater New Castle Development Company, Greensburg Public Market Corporation, Green Starter Company, Great Southern Oil and Gas Company of Delaware, Greater Sheesley Show Company, Griswold Manufacturing Company, The, Grotefeld Bros.' Corporation, Grooms & Foretich Process Company, Growing Feed Company, Growers' Vegetable Company, Grubstake Corporation, Gulf Coast Land and Orchard Company, Guarantee Investment Company, Gus M. Grissman Company, Gulf Pulp Board Company, Guarantee Refining Company, Guaranty Trading Corporation, Guarantee Trust Company of Illinois.

H. A. Loose Company of America, H. & R. Mining Company of Delaware, H. S. Kooker Company, Haiti Products Corporation, Hall-Seeley Motor Corporation, The, Hammond Arms Company, Hamilton Amusement Company, Hammond & Birdseye, Incorporated, Hammond Live Stock Company, Harney Basin Development Company, Harmitch Mines Corporation, Harris-Collins Corporation, Harrigan Film Corporation, Harrison Improvement Company, Hartford Clock Company, The, Havana Agricultural Exposition and Racing Association, Hawley Motor Car Company, Inc., Hawes Manufacturing Company, The, Hathaway Sleeve Valve Motor Corporation, Heat and Power Fuel Company, Health

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Remedy Company, Incorporated, The, Heilman Chocolate Company, Incorporated, The, Hellenic Hospital Association, Helena, Montana, Gold Mining Company, Hellar Portable Lamp Company, Henderson Farm Oil Company, Henry Sanders Cocoa and Chocolate Sales Agency, Incorporated, Herron & Company, Incorporated, Heseltine Motor Corporation, Hill City Tungsten Production Company, Hillside Lead and Zinc Mine Company, Incorporated, Hilliard Manufacturing Company, The, Hodges Water Still Company, The, Home Canning Company, Home Industries Corporation, Home Investors' Realty Company, Incorporated, Homewood Nitrogen Company, Homestead Publishing Company, The, Hotel Atlantis Company, Hoyt Portable Bungalow Company, Incorporated, Hoyes Steel Auto Car Company, Hughes & Co., Incorporated, Human Swan Company, Huske & Smith, Incorporated, Huron Tractor Company, The, Hydro-Acetylene Carburetor Company, Hyde Brothers Steel and Rail Company, Hutchinson Company, The, Hydro-Carbon Gas Stove and Light Company, Hydro-Carbon Gas Company, Hydro-Electric Radiator Corporation, Hygienic Products Company.

Imperial Amusement Company, The, Il Corriere Tirolese Publishing and Printing Company, Ipmervia Company, The, Imogen Copper Company, Incorporated, Imp Carbon Chaser Corporation, Imperial Contracting Company, Imboden, Hill & Co., Iceland and Labrador Fisheries and Export Company, Ilmo Mining Company, Industrial By-Products Company, Internal Combustion Locomotive Company, Industrial Corporation of North America, The, Ink Goods Corporation, The, I. H. Downes

PROCLAMATIONS

struction Company, International Electric and Signal Company, International Electric Company, International Fire Proofing Corporation, International and Intercontinental Mining and Refining Corporation, International Mercantile Corporation, International Munitions and Supply Company, International Manufacturing Company, Interstate Oil and Gas Company, Interstate Oil Products Company, International Pyrotoy Company, International Research Corporation, International Realty and Mortgage Company, International Steel and Shipbuilding Company, The, International Steamship Company, International Steel Treating Company, International Securities Corporation, Interstate Rural Credit Association, Interstate Corporate Service Company, Interstate Trading Company, International Table Company, International Wire Tire Company, The, Ion Dyes Company.

J. E. Welland Company, J. G. Fitzpatrick Manufacturing Company, Jacques-Huff Life Boat Equipment Company, Jaegar Manufacturing Company, J. N. Stetson Company, Jabmah Oil Company, J. S. & W. S. Kuhn, Incorporated, J. T. Vandenburg & Co., J. W. Kanatsher, Incorporated, J. Z. Horter, Incorporated, Jefferson Coal and Coke Company, Jenny Lind Company, Jersey Metals Products Company, Jespersen Paper Company, John B. Shannon Company, John Benedict Company, John H. Powers & Co., Incorporated, Johnson-O'Brien Company, Johnson, Sharp & Co., Jones & Bergin Company, Jones Bros. & Wilson Show Company, John F. Stephenson Amusement Company, John L. Moore & Co., Incorporated, Jos. R. Marquette, Jr., Incorporated, Jones Tool Company, Incorporated, Jones United Stores, Incorporated.

Kalogen Company, The, K. G. Motor Device Company, The Kal-Kol Company of Pittsburgh, The, Kansas Farmers' Co-operative Corporation, Kanawha, Incorporated, Kanawha Lumber Company, Kansas Oil Investment Company, Kearns Motor Truck Company, Kearns-Truck Builders, Incorporated, Kel-I-Cin Gum Company, Kelly-Steck Coal Company, Kelly-Steck Clay Products Company, Kelsey Process Refining Company, Kenmar Advertising Company, Kent County Light, Heat and Power Corporation,

PROCLAMATIONS

Kentucky Coal and Timber Development Company, The, Kent Company, The, Kenora Gold Mines Company, Kent Motors Corporation, Kentucky Oil and Gas Company, The, Kentucky Rural Credit Association, Kenkel Tractor Company, Kent Typewriter Company, Keystone Auto Supply Company, Keystone Amusement Company, Keystone Baking Company, Keystone Company, Keystone Flour Company, Keystone Finance Publishing Syndicate, Incorporated, Keystone Manufacturing Company, Keystone Munition Company, Keystone Medicine Company, Keystone Metallic Tie Company, Keystone Manufacturing and Electric Company, The, Keystone Parquetry Flooring Company, Keystone Private Patrol System (Inc.), Keystone Rubber and Tire Company, Key-

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turing Company, Lincoln Zinc and Smelting Corporation, Little Creek Oil and Gas Company, The, Lockettite Can and Machine Co., The, Logan Boiler and Machine Company, Longuenmare Carburetor Company, Incorporated, Lorretto Manufacturing Company, Louisville Drop Forging Company, Louisiana Paper and Cordage Company, Lozier Brothers Company, Lower Merion Contracting Company, Lundberg Creighton Player Company, Lumb Motor Truck Company, Lynch-Skanby Company, The, Lyman Timber Company.

M. H. Brendlinger Company, Machinery Products Corporation, The, M. S. Johnson Company, Incorporated, Mac Supply Company, Magdalena Commercial and Industrial Corporation, Magnetic Iron Mines Company, The, Make-A-Motor Truck Company, Mahanoy Valley Coal Company, Malkomite Manufacturing Company of Pittsburgh, Pa., The, Manatee Estate, Incorporated, The, Manufacturers' Lumber and Sales Company, Manufacturers' and Merchants' Company, The, Manhattan Oil Company, Manatee Produce and Development Company, Manhattan Woolen Mills Company, Incorporated, Marian Coal Company, Marco and Gulf Coast Company, Marion N. Wood Company, Marion Steel Products Company, Marine Transport Service Corporation, Marne Engineering Corporation, Martin Cowdery's Sons, Incorporated, Maryland Iron and Steel Company, Martin Paper Coating Company, Martin "Safety-First" Horse Hitch Company, The, Martha Washington Candy Stores of Dixie, Maxaphone Corporation, Mattawaen River Development and Mining Company of the Province of Ontario, Canada, Max Reichsteig Piano Company, The, Mecca Garage, Incorporated, Mearo Motor Car Company, Mechanical Window Glass Company of America, Menke Cigar Stores Company, Mercer Company, of Philadelphia, Incorporated, Merchants' Discount Supply Company, Merchants' Parcel Delivery Company, Merchandise Purchasing Certificate Company of Delaware, Inc., The, Merchants' Sales Company, Mercantile Specialties Company, The, Merchants' Service Corporation, Merchants' Service Corporation of Pittsburgh, Metropolitan Motors, Incorporated, Metropolitan Oil Company, Metronola Phonograph Company, Metallic Shaft Company, The, Metal Shel-

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ter Company of America, Incorporated, Metropolitan Trust Company, Mexican-American Industrial Company, Mexican Northern Pacific Railroad Company, Mexico Oil and Exploration Company, Midwest Exports Company, Middle Georgia Power Company, Michigan National Mileage Company, Michigan Parfay Company, Michigan Western Timber Company, Miles Music Company, Millard P. Osbourn & Co., Miller Productions, Incorporated, Mill Shoe Company, The, Milton Fertilizer Company, Milton Realty Company, The, Milton Times Publishing Company, The, Mirror Films, Incorporated, Modern Motherhood League, Incorporated, Modern Timber Machinery Company, Moneyback Corporation, The, Montana Cycle Oil Company, Montana Cattle Loan and Mortgage Company, Monarch Fuse and Manufacturing Company, Monarch Film Producing Company, Montana and Mexico Mining Company, Monarch Motor Car Company, Monolithic Silo and Construction Company, Moore Films, Incorporated, Morris Electric Company, Mortgage Finance Company, Morse Gray & Co., Mortgage Loan and Trust Company, Motorists' Guide Publishing Company, Motors Lock Company of America, Motion Pictures Digest Company, Motor Railways Corporation, Motor Tire and Accessories Company, Motor and Tire Sales Company, Motor Vehicle Protective Association, Mount Peavine Mining and Power Company, Movet Company, The, Moving Picture Ticket Corporation of Delaware, Muller-Oexle Company, Incorporated, Murray-Gordon Corporation, The, Mussinan Tire Corporation, Mutual Advertising Company, Mutual Co-operative Check Company, Mutual Export and Import Corporation of America, Mutual Purchasing Association, Mystic Silex Corporation, Mutual Supply Company, The.

McClellan Refrigerating Machine Company, MacGregor Corporation, The, McManus-Simonim Company.

National Automobile Association, National Anti-Skid Corporation, National Brush Washing Machine Company, National Casing Company, National Circuit of Theatres, Incorporated, National Cross Tie Company of America, National Co-operative Sales Company, National Combination Keyless Auto

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Lock Company, Incorporated, National Conduit Wiring Machine Company, National Crosstie Company, The, National Engineering and Manufacturing Company, National Furniture and Equipment Company, National Manufacturing and Construction Company, National Mortgage Company, The, National Monthly Company, National Parcel Post Box and Tag Company of Washington, D. C., National Phonograph and Projector Corporation, National Peat Refining Company, The, National Pure Water Company of Delaware, National Pure Food Company, National Roadamite Paving and Supply Company, National Securities Corporation, National Securities and Investment Company, National Service Corporation, National Sign Corporation, National Sand Company, National Safety Deposit Box Company, National Toy and Novelty Company, Neal Contracting Company, Neagley Drug Company, The, Neale Publishing Company, The, Nelson Grocery Buyers' Association, Never-Hole Tube Company, Neo-Vita Medicine Company, New Amsterdam Amusement Company, Newfoundland Corporation, Newark Copper Mining and Reduction Company, The, New England Brass Company, New England Electric Floor Surfacing Company, The, New Majestic Phonograph Company, Newark Paper Can Company, Newport Scup Company (Inc.), New York Aero Construction Company, New York Coliseum Company, New York Humble Oil and Gas Company, New York-Lancaster Development Company, Nicholls Brothers, Incorporated, Niagara Falls Motion Picture Company, The, Noe-Wadlow Company, Northwest Automobile Company, North American Land and Timber Company, North American Rubber Company, Northern Boulevard Garage Company, Northwestern Construction Company, Northwestern Chemical Company, Northwestern Development Syndicate, Limited, Novelty Perfume Manufacturing Company, Nutless Bolt Manufacturing Company, The.

O'Conner Corporation, The, Oak Grove Poultry Farm, Inc., O. K. E. Company, O'Conner Spiral Pump and Blower Company, The, Odessa Steamboat Company, The, Ogden Electro Metals Recovery Company, Oil and Gas Development Company, The, Okla-Kan Oil Company, Oklahoma Oil Company, Oklahoma

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Petroleum Company, Oil Refining and Development Company, The, Ohio Union Brewing Company, Old Faithful Oil Company, Olympic Motion Picture Company, The, Old Virginia Coal Company, Ontario Mining and Exploration Company, Orleans Coal, Oil and Gas Company of Pennsylvania, The, Orecal Construction Company, Orr Engine Company, Limited, The, Overland Club, Overseas Service Company.

Packless Valve Company, Pan-American Engineering Corporation, Pan-American Guarantee and Trust Company, Pan-American Laboratories, Incorporated, Pan-American Mining and Smelting Corporation, Pan-American Mica Company, Pan-American Sales Company of Pennsylvania, Panama Amusement Company, Pan-American Steamship Corporation, Paproid Corporation, Paper Products Corporation of America, Paper Products Company, Pan Zareta Oil and Gas Company, Paragon Theatres Corporation, Parisian Tortoise Shell Manufacturing Company, The, Patriot Film Corporation, The, Patented Specialties Company, Peabody-Alaska Copper Corporation, Peerless Clay Products Company, Peabody Development Corporation, Pearson Engine and Machine Company, Peerless Jennings Mining Company, Peerless Pictures Corporation, Peerless Wheel Company, Peirce Company, Pellicer Orchards Company, Pennsylvania Coal, Oil and Gas Company, Penmeyer Company, Pennsylvania Elevator Company, Pennsylvania Fibreform Company, Penn Gardens Company of Washington, D. C., Penn Gardens, Incorporated, of Washington, D. C., Pennsylvania Hog Company, Pennsgrove Incinerating Company, Penn Live Stock Company, Pennsylvania Mining and Manufacturing Company, Penn Mutual Service Association, Pen-Mar Construction Company, Pennsylvania Oil and Gas Company, Pennsylvania Products Company, Penn Powdered Fuel Company, Penn Quartette Mining Company, Penn-Tex Oil and Gas Company, Perry Auto Lock Company, Peoples Casket and Burial Company, Pepsimint Company, The, Peoples Development Company, The, Peoples Engine Products Company of America, Peoples Ice and Coal Company, Perfectograph Manufacturing Company, The, Peoples Profit Film Corporation, Peruvian Potash and Chemical Company, Persian Rug Renovating

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Company, Peoria Specialty Company, Petroleum By-Products Company, The, Petroleum Production Company, Petrole Refining and Products Company, Pharmaceutical Service Corporation, Philadelphia Construction Company, Philadelphia and China Trading Company, Incorporated, The, Philadelphia Flying Machine Company, Philippine Fibre Company, The, Phoenix Gas Improvement Company, Philadelphia Ice Rink, Incorporated, Philadelphia Main Line Company, Philadelphia Motor Car Company, Incorporated, Philadelphia Mercantile Agency, Incorporated, The, Philadelphia-New Orleans Transportation Company, Photo-Reproducer Company, Physicians' Specialties Manufacturing Company, Physicians' Sanitorium, Incorporated, Philadelphia Store Fixture Supply Company, Incorporated, Philadelphia Trading and Steamship Company, Philadelphia Vinegar Products Company, Pickett Company, The, Pi-Nectar Sales Company of America, Piedmont Pictures Corporation, Pittsburgh and Alabama Live Stock Company, Pittsburgh Automatic Heat Regulator Company, Pittsburgh Electric Furnace Company, The, Pittsburgh Garbage Incineration Company, Pittsburgh Kitchen Service Company, Pitt Oil and Drilling Company, Pittsburgh Pressed Metal Company, Pittsburgh Refrigerating Machine Company, Pittsburgh Sanitary Perch and Seed Company, Pittsburgh Specialty Manufacturing Company, Pittsburgh Toy Vehicle Company, Incorporated, Pittsburgh Tire and Accessories Company, Pine Mountain Mining Company, Pioneer Publishing Company, Planet Film Corporation, Plumbers' Supply Company, Point-Of-Graph Company, Poe Range Company, The, Pomeroy Shock Absorber Heel Company, Pocock Safety Lamp Company, Porcelain Products Company, Popular Pictures Corporation, Port Richmond Funeral Supply Company, Incorporated, Postles Automobile Broker Company, Pottsville Coal Company, Potomac River Excursion Steamboat Company, Post Tire and Rubber Corporation, Preston Coal Company, Premier Graphite Company, Premier Machine Company, Premier Products Company, Progressive Amusement Circuit, Incorporated, Provident Life and Trust Company, Progressive Securities Corporation, Proctor Slate Manufacturing Company, Producers' United Oil and Gas Company, Pyraform Bottle Manufacturing Company of New York, Pulit-

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zer Company, Incorporated, The, Puritan Chemical Sales Company, Pure Food Restaurant Company, The, Pyramid Fire Grate Company, Public Packing Company, Public Stores Corporation.

Quercus Agency Company, Quaker City Ice Rink Company, Quaker City Engineering Company, Queen Coal and Mining Company, Quaker Hill-Harmony Mines Company, Quaker Mining Company.

Railway Automatic Safety Appliance Company, The, Railway Appliance Association, Radcliffe Attractions, Incorporated, Railway Device Company, Radial Freezing Company, Radium Institute of Philadelphia, Incorporated, R. Morgan Elliott & Co., Incorporated, R. M. Bailey Company, Railways Securities Corporation, Railroad Securities and Investment Company, Railroad Stockholders' Association of the United States, The, Railway Supply and Equipment Company, Railway Tie Corporation, The, Ramsey Can Company, The, Randall Rotary Power Plug Company, Rapid News Bulletin Company, Rapid Process Lithograph Company, Incorporated, Reflectograph Company, The, Redman Concrete Hollow-Wall Company, Recovery Company, The, Reelplays Corporation, Real Estate Mortgage Bond Company, Real Estate Trust Company, Reese & Hanson, Incorporated, Reflexophone, Incorporated, Reade Music and Art Corporation, The, Rear Safety Signal Company, Reed Petroleum Company, Republic Engineering Corporation, Remedial Loan Society, Reliance Publishing Company, Retail Grocers' Ice and Cold Storage Company of Kansas City, Missouri, The, Rhode Island Manufacturing Company, Rhode Island Security Company, Rex Manufacturing Company, Rex Sales Company of America, Richland Amusement Company, Riche-lieu Hotel Company, Rich Man-Poor Man Company, Richland Marble Company, Ric-Rac Company, The, Rice Schmidt Securities Company, Rim Company, The, River Coal Company, The, Robert M. Bleakie & Co., Incorporated, Roberts Sulphite Company, The, Robyn Pictures Corporation, Rocky Cave Company, Rock Creek Lumber Company, Rochell Chemical Company, The, Rock Creek Mining and Lumber Company, Rockhill Sani-

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tarium Company, The, Roselyn Farm Dairy Company, Rossendale Valley Mills Company, Royal Lands Company, Royal Restaurant Company, Royal Theatres Company, The, Russell & Co., Rural Credit Development Corporation, Russian American Asiatic Corporation, Rutherford Greater Shows, Incorporated.

Sacred and Historic Film Society, Incorporated, S. Mor Confection and Cereal Company, Safety Signal Corporation, S. S. Shipping and Trading Company, St. Nicholas Zinc Company, St. Petersburg Investment Company, Salem Petroleum and Gas Company, The, Sanden Contracting Company, Incorporated, Sanispoon Company, The, Santyline Chemical Company, Sanitary Enameling and Specialty Company, The, Sante Fe Ore Company, Sanitary Manufacturing Company, Santa Maria Mining Company, Sanitary Rubber Tooth Brush Company, Sanitary Toilet Seat Company, Schneider Ship Floating Corporation, Scientific Accounting Company, The, Scott Brick Process Company, Scotch Stone and Brick Company, Scripps-Booth Company, Security Automobile Lock Company, Sedo Chemical Company, The, Security Loan and Trust Company, Security Merchandise Order Company, Sealed Package Candy Company (First), Security Real Estate Investment Corporation, Security Sales Corporation, Selbyville Brokerage Company, Service Corporation, The, Self Sealing Inner Tube Company, Service Tire and Tube Company, Sewage Clarification Company, The, Shamokin Creek Coal Company, Shippers, Incorporated, Shockley Motor Company, "Shine-Off" Clothes Renovating Company, Shiffer Patents Corporation, The, Sierra Nevada Exploration Company, Silox Water Company, Simplex Air Brake and Manufacturing Company, Simon Kaufman Company, Simplex Surface Contact Company, Smalley-Campbell Company, South American Film Corporation, Southern Briquette Coal Company, Southern Dredging Company, Southern Drug Company, Southern Fertilizer and Oil Company, Southern Fuel Company, Incorporated, Sovereign Films, Incorporated, Southern Illinois Coal and Coke Company, Southern Iowa Railway and Light Company, Southeastern Land and Mortgage Company, Southern Merrill System Company, The, Southern Petroleum Company, Southern Trust Company, Southern

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Wood Treating Corporation, Southwark Waste Company, Southern Zinc and Mining Company, Spanish-American Trade Alliance Company, The, Specialties Manufacturing Company, Spare Moments Pub. Co., The, Sphinx Motor Car Company, Sporasolvin Hog Raising Institute, Incorporated, The, Sprayol Chemical Company of America, The, Spring City Steel Company, Spring Cushion Tire Corporation, Standard American Building and Loan Association, Standard Chicle Refining Company, Standard Can Manufacturing Company, Standard Coke Oven Company, Stanley Company of West Philadelphia, Stanley Felt Company, Standard Home Supply Company, Standard Glass Jar Corporation, Standard Metal Products Company, Standard Products Company, Standard Safeguard and Appliance Manufacturing Company, Standard Securities Corporation of Washington, D. C., Standard Supply Company, Incorporated, Standard Smelting Company, Staunton Clay Products Company, Stergianopulos Arms Company, Incorporated, Stern & Co., Steel City Construction Company, Steel Company of America, Stephenson Exhibition Company, Sterling Motor Car Company, Stevens, Nixon Chemical Company, The, Sterling Oil and Gas Company, Sterling Oil Company of America, The, Sterling Sales Company, Subway Central Building Corporation, Submarine Navigation Company, The Submersible Ship Corporation of America, Submarine Salvage Equipment Company of America, Surface Combustion Patents Company, Supreme Film Company, Sunrise Oil and Gas Company, Sulfos Oil Company, Sunnyside Orchards Company, Sunset Sugar Company, Swandale Company, Symphonian Company, The, Swamat Enamel Leather Company, Swanson Manufacturing Company.

T. D. Just Company, T. Slocum Miller Corporation, Tabernacle Echoes Publishing Company, Talbot Manufacturing Company, Taos Mining Company, Texas Coast Development Company, Texas City Sales Company, Textile Chemical Corporation, Tela Fruit Company, The, Terminal Manufacturing Company, Tempus Reclaiming and Manufacturing Company, Thistle Film Producing Company, The, Thomas K. Bell Engineers, Incorporated, Tillamook Timber and Logging Company, Times Pub-

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lishing Company, The, Todd Bond and Mortgage Company, The, Tommy Burns Gold Mining Company, Tolbert Construction Company, The, Tri-City Automatic Home Telephone Company, Trinity Coal and Iron Company, Transatlantic Shipyards Corporation, Tri Edge Ripper Company, Incorporated, The, Triangle Film Agency, Philadelphia, Pa., Travelers' and Merchants' Hotel Company, Transatlantic Mercantile Corporation of America, Triumph Record Company, Tri-State Rural Credit Association of Billings, Montana, Trinity Savings Investment Corporation, Trout Direct Filing Company, Trouper Publishing Company, The, Tropenas Steel Company, Tungsten Company of America, Tubular Products and Steel Works, Incorporated, Tungsten Steel Company of Pittsburgh, Twenty-Four Hour Sales Company, The, Twin Grove Park Company, Twaits Manufacturing Company, Tygerine Oil Company, Two in One Building Company, The, Two Republics Trust Company, The, Typewriter and Sales Corporation, The.

Ultra Company, U-Can Medicine Company, Utility Distributing Corporation, Usian Manufacturing Company, Usac Mining Corporation, U. S. Antiseptic Box Company, U. S. Motion Picture Coupon Company, U. S. Safety First Motor Signal Company, Ultra Truck Corporation, Up-To-Date Amusement Company, The, Universal Cash Discount Corporation, Universal Carburetor Company, Unity Coal Company, The, Unicorn Film Service Corporation, Universal Importers and Exporters, Incorporated, University Land and Improvement Company, Incorporated, Universal Motive Power Company, Unit Oil Company of Sistersville, West Virginia, Usamo Sales Association, Incorporated, Universal Spring Control Company, Incorporated, Uncheckable Varnish and Enamel Company, Union Vending Company, Union Arms Company, Incorporated, United Amusement Enterprises, Incorporated, United Beverage Machine Company, Union Coal Tar Products Corporation, United Churning Company, United Construction and Supply Company, Union Credit Company, United Clothing Stores Company, Union Drug Company, United Electrical Stores, Incorporated, United Furnace Corporation of Pennsylvania, United Food Stores, Incorporated,

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Universal Flexible Packing Company, Union Farm Products Company, The, United 5 and 10c Stores, Incorporated, United Furnace Corporation of New England, United Globe Engineering Corporation, The, United Grocers, Meat, Produce Managers' and Clerks' Association, United Investors' Association of Philadelphia, United Investors' Service Company, United Leather Company, United Mutual Exhibitors' Film Corporation, United Mercantile Company, United Merchants and Manufacturers (Incorporated), United Manufacturers' Service Corporation, The, United Motion Pictures Theatres Company, United Oil Company, Incorporated, United Packing and Products Company, United Properties Company of California, The, United Real Estate and Auction Company, The, United Rock Sand Company, United Service Company, Union Shell and Shrapnell Corporation, United Securities Company, Union Securities Company, The, United Silver and Metal Company, United States Coal Company, United States Commerce Corporation, United States Claim Adjustment and Investigating Company, United States Cotton Ginning Company, United States Dye and Chemical Corporation, United States and Foreign Exploration Company, United States Gas Products Company, United States Harvester and Implement Company, United States Machine Manufacturing Company, United States Mortgage and Trust Company, United States Potash Corporation, United States Theatres Corporation, Union Supply and Manufacturing Company, United Utilities Company, United Zinc and Barytes Company, Utility Car Company.

V. J. M., Inc., Valley Trust Company, The, Vargyas Safety Tire Company, Vanoscope Manufacturing Company, Vesuvian Auto Heater Sales Company of Boston, Vesuvian Auto Heater Sales Company of New York City, Vesuvian Auto Heater Sales Company of Philadelphia, The, Vesuvian Auto Heater Sales Company of Buffalo, The, Vesuvian Auto Heater Sales Company of Indiana, The, Vesuvian Auto Heater Sales Company of Pittsburgh, The, Velvet Copper Company, Ventilation Corporation, Venezuela Tanning and Coloring Extracts Company, Incorporated, The, Visible Card Index Collection Cabinet Corporation, The, Victoria Realty Company, Virginia Consolidated Copper Com-

PROCLAMATIONS

pany, Virginia Petroleum Corporation, Vulcan Machine Tool Company, Inc., Voca-Phone Corporation.

W. E. Griffiths Company, W. H. MacClary Company, Wallace Apartment Company, Walter Gray Mines Corporation, Warehouse Bond Company, The, Warrior River Bridge Company, Washington Automobile Club, The, Washington Bowling Tournament Company, Washington and Delaware Dye Materials Corporation, Washington Mausoleum Company, Washington Motor Speedway Association, Washington Suburban Development Company, Watts Polygonal Tool Company, The, Waukoria Manufacturing Company, Wells Engineering Corporation, Wenona Coal and Mining Company, Western Alcohol Company, Western American Highway Company, Western "Civilization" Corporation, West End Oil and Gas Company, West Florida Farming Company, West Penn Chemical and Mfg. Co., West Penn Drug Company, West Philadelphia Construction Company, Western Terminal Railway Company, Westgard Tire and Rubber Company, Western Trading Company, White Clover Dairy Company, White Lumber Company, The, White Metal Die and Stamping Company, White Oaks Mines, Consolidated (Incorporated), White River Oil Company, The, White Springs Company, Wicomico Oil and Gas Company, William A. Brady, Inc., William D. Holdsworth Company, Incorporated, Wm. J. Roberts Co., Incorporated, Wilkinsburg Public Market Company, Wm. Penn Oil and Gas Company, Wilmington Ball Club, Incorporated, Wilmington Film Corporation, Wilmington and Philadelphia Steamboat Company, Wilmington Photo-Engraving Company, Winakor Company, Winter Garden Amusement Company, The, Wire Products Company, Wishbone Steel Wheel Company of America, Wiz Manufacturing Company of Wilkes-Barre, Pa., The, Wolf Arizona Copper Company, Wolverine Lubricants Company, Wonder Oil Company of America, Woodroffe Land Company, The, World Amusement Company, Worlds Automobile and Furniture Polish Mfg. Co., Wright Engine Company of Delaware, Wright Powder and Chemical Company, Wyoming Construction Company, Wyoming Central Oil Company.

PROCLAMATIONS

Yague Plantation Company, Yucatan Oil Company.

Zepp Binder Company, The, Zenith Gold Mining Company, Zenith Motion Picture Company, Zion Oil Company, Zeigler Oil Company, The, Zenith Projectorscope Company.

IN TESTIMONY WHEREOF, I, John G. Townsend, Jr., Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal to be hereunto affixed this twenty-eighth day of Janu-

PROCLAMATIONS

PROCLAMATION

BY AUTHORITY OF THE STATE OF DELAWARE

EXECUTIVE DEPARTMENT

JOHN G. TOWNSEND, JR.,

Governor of the said State;

To the Sheriff of New Castle County, Greeting:

WHEREAS, there exists a vacancy in the Senate of the General Assembly of the State of Delaware in the Third Senatorial District of New Castle County due to the death of the member from said District, George W. Webster;

AND WHEREAS, by reason of the vacancy now existing in the office of Senator in the General Assembly for the said Third Senatorial District of New Castle County;

NOW THEREFORE, I, John G. Townsend, Jr., Governor of the State of Delaware, do hereby command that you cause an election to be held in the said Third Senatorial District of New Castle County by the qualified electors therein, on some day to be by you appointed for the purpose of choosing a Senator in the General Assembly for the said Third Senatorial District to fill the vacancy caused by the death of George W. Webster for the unexpired term of said Senator aforesaid, in pursuance of the Constitution and Laws of the State of Delaware made and provided.

IN WITNESS WHEREOF, I have hereunto set my hand
and caused the Great Seal of the State of Delaware to be hereto affixed this sixth day of
[GREAT SEAL] March, in the year of our Lord one thousand

PROCLAMATIONS

nine hundred and twenty and of the Independence of the United States of America the one hundred and forty-fourth.

By the Governor,

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,

Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

By virtue of that authority granted in Section 16 of Article III of the Constitution of the State of Delaware, providing that

“He (the Governor) may on extraordinary occasions, convene the General Assembly by proclamation;”

I, John G. Townsend, Jr., Governor of the State of Delaware, do issue this, my Proclamation:—

That the General Assembly of the State of Delaware shall convene at Dover, the Capitol of the State, on Monday the twenty-second day of March, A. D. 1920, at 12 o'clock noon, to consider and act upon the following matters of State and National importance:

I. To consider ways and means whereby certain moneys of the General Fund of the State Treasury can be so set aside as to be used for purposes of Public Schools, thereby making unnecessary any undue or excessive tax on real estate.

II. To consider and act upon a Joint Resolution, proposing an Amendment to the Constitution of the United States, viz:

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled (two-thirds of each House concurring therein), That the following article is proposed as an Amendment to the Constitution, which shall be

PROCLAMATIONS

valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourth of the several states:

"ARTICLE

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"Congress shall have power to enforce this article by appropriate legislation."

III. To consider and act upon request of Commission proposing an Amendment to "An Act to Provide for the Building of a Bridge over the Brandywine Creek in the City of Wilmington," Approved March 31, A. D. 1919, being Chapter 99, Volume 30, Laws of Delaware.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be hereto affixed this sixth day of March, in the year of our Lord one thousand nine hundred and twenty and of the Independence of the United States of America the one hundred and forty-

[GREAT SEAL]

PROCLAMATIONS

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

WAR ANNIVERSARY PROCLAMATION

Upon a peaceful world in 1914 broke the catastrophe of war.

Against the diabolical armies of a power-mad enemy, the European Allies fought desperately and with supreme courage.

For three years all Europe was torn with the most terrible conflict in the conception of man, and after these years, when the victory of right over might hung most perilously in the balance, the United States entered the War, April 6th, 1917.

The tired fighters, cheered by the fresh vigor and spirit of a new and great ally, and the American men, inspired by the courage and sacrifice of the allied nations, together turned back the tide of devastation, and the cause of civilization triumphed.

But their dearly-bought victory is yet to be completed. The clash of arms has hardly died away, the peace treaties have not been signed, a few at least of our American men are still abroad, and the adjustments of civil life have hardly begun.

Yet already we turn from the task, we, who have not suffered in any comparable degree to those nations who gave their all, we who are so much better able, (having escaped as we did, the actual physical and spiritual desolation of war) to raise afresh before a wearied world, the glowing standards of a happy and successful democracy.

It is therefore fitting, that on April 6th, the anniversary of our entrance into the War, our people should express their grati-

PROCLAMATIONS

tude not only to our own men, who brought us honor and glory and peace, but to the soldiers of all our allies; and it is incumbent upon us that we now rededicate ourselves to the cause for which they suffered and died.

Especially should we see to it, that the children, who are the present hope and the future guardians of our democracy, shall be impressed with the issues and the lessons of the war, in order that they may realize that right living, and education, and devotion to the common good are necessary, if "Government of the people, by the people, and for the people" shall be, and remain.

THEREFORE, I, John G. Townsend, Jr., Governor of Delaware, do designate and set apart the day of April 6th this year, in this State, as a day of thought and resolve, as well as of gratitude; and do urge that the people, and the educational authorities, shall so use this day, to the best of their ability, their circumstances, and their true and loyal citizenship.

IN TESTIMONY WHEREOF, I, John G. Townsend, Jr.,
Governor of the State of Delaware have here-
unto set my hand and caused the Great Seal to
be affixed at Dover, this twenty-ninth day of
[GREAT SEAL] March, in the year of our Lord one thousand
nine hundred and twenty, and in the year of

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STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

I, John G. Townsend, Jr., Governor of the State of Delaware, do hereby proclaim and make known in accordance with the provisions of an Act of the General Assembly, that on the

SECOND DAY OF NOVEMBER

in the year of our Lord, one thousand nine hundred and twenty, being the Tuesday next after the first Monday of said month, an Election will be held in the several counties of this State, at the places in the several Election Districts respectively, at which the General Election in the said State is held, for the purpose of choosing by ballot by the citizens of this State having the right to vote for Representative in the General Assembly, three electors for the election of a President and Vice-President of the United States.

IN TESTIMONY WHEREOF, I have set my hand and caused the Great Seal of the State to be hereunto affixed, at Dover, this sixth day of October, in the year of our Lord, one thousand nine hundred and twenty, and in the year of the Independence of the United States the one hundred and forty-fifth.

[GREAT SEAL]

By the Governor,

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,

Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

JOHN G. TOWNSEND, JR.,

Governor of said State.

To all persons to whom these presents shall come, Greeting:

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John G. Townsend, Jr.	36,424
Martha S. Cranston	819
John Heyd	810
Lillian Cade	814
William Canby Ferris	988
Fred W. Whiteside	964
Clarence W. Johnson	958
Louis Kramer	39
Charles E. Duling	34
Samuel Melville	34
Maurice Walsh	82
Nicholas J. Lannan	93
Isidor Straus	78

KENT COUNTY

George Gray	7,211
Francis M. Soper	7,163
Joseph H. Cox	7,169
Henry A. du Pont	6,511
Alden R. Benson	6,480
John G. Townsend, Jr.	6,479
Martha S. Cranston	167
John Heyd	166
Lillian Cade	165

SUSSEX COUNTY

George Gray	8,448
Francis M. Soper	8,373
Joseph H. Cox	8,548
Henry A. du Pont	9,747
Alden R. Benson	9,730
John G. Townsend, Jr.	9,327

AND WHEREAS, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every

PROCLAMATIONS

candidate or person voted for such Electors, the result appears as follows, to wit:

Whole number of votes for George Gray	39,911
Whole number of votes for Francis M. Soper	39,623
Whole number of votes for Joseph H. Cox	39,844
Whole number of votes for Henry A. du Pont	52,858
Whole number of votes for Alden R. Benson	52,627
Whole number of votes for John G. Townsend, Jr.	52,230
Whole number of votes for Martha S. Cranston ...	986
Whole number of votes for John Heyd	976
Whole number of votes for Lillian Cade	979
Whole number of votes for William Canby Ferris	988
Whole number of votes for Fred W. Whiteside ...	964
Whole number of votes for Clarence W. Johnson	958
Whole number of votes for Louis Kramer	39
Whole number of votes for Charles E. Duling	34
Whole number of votes for Samuel Melville	34

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

JOHN G. TOWNSEND, JR.

Governor of said State.

To all persons to whom these presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the second day of November, in the year of our Lord one thousand nine hundred and twenty, that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the Constitution and Laws of the State of Delaware, in that behalf, for the election of a Representative for the people of the said State, in the

SIXTY-SEVENTH CONGRESS OF THE UNITED STATES

AND WHEREAS, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in the said counties respectively for such representative were cast as follows, to wit:

NEW CASTLE COUNTY

James R. Clements	24,349
Caleb R. Layton	36,262
Robert A. Walker	1,063
Howard T. Ennis	196

PROCLAMATIONS

KENT COUNTY

James R. Clements	7,325
Caleb R. Layton	6,400

SUSSEX COUNTY

James R. Clements	8,532
Caleb R. Layton	9,483

AND WHEREAS, The said returns of the election for the choice of a Representative of and for the said State in the Sixty-seventh Congress of the United States, as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Representative, the result appears as follows, to wit:

Whole number of votes for James R. Clements ...	40,206
Whole number of votes for Caleb R. Layton	52,145
Whole number of votes for Robert A. Walker	1,063
Whole number of votes for Howard T. Ennis	196

NOW, THEREFORE, I, John G. Townsend, Jr., Governor of the State of Delaware, do hereby declare that Caleb R. Layton has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Representative of and for the State of Delaware in the Sixty-seventh Congress of the United States.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the 15th day of November in the year of our Lord one thousand nine hundred and twenty and of the Independence of the said State the one hundred and forty-fifth.

[GREAT SEAL]

By the Governor,

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,
Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

JOHN G. TOWNSEND, JR.

Governor of the said State.

To all persons to whom these presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the second day of November, in the year of our Lord one thousand nine hundred and twenty that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of an

ATTORNEY GENERAL OF THE STATE OF DELAWARE

AND WHEREAS, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said counties respectively for such Attorney General were cast as follows, to wit:

NEW CASTLE COUNTY

William T. Lynam	25,526
Sylvester D. Townsend, Jr.	35,721

KENT COUNTY

William T. Lynam	7,304
Sylvester D. Townsend, Jr.	6,447

PROCLAMATIONS

SUSSEX COUNTY

William T. Lynam	8,499
Sylvester D. Townsend, Jr.	9,619

AND WHEREAS, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Attorney General, the result appears as follows, to wit:

Whole number of votes for William T. Lynam ...	41,329
Whole number of votes for Sylvester D. Town- send, Jr.	51,787

NOW, THEREFORE, I, John G. Townsend, Jr., Governor of the State of Delaware, do hereby declare that Sylvester D. Townsend Jr., has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Attorney General of and for the State of Delaware.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

JOHN G. TOWNSEND, JR.

Governor of the said State.

To all persons to whom these presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the second day of November, in the year of our Lord one thousand nine hundred and twenty that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of an

INSURANCE COMMISSIONER OF THE STATE OF
DELAWARE

AND WHEREAS, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said counties respectively for such Insurance Commissioner were cast as follows, to wit:

NEW CASTLE COUNTY

James E. Corrigan	23,991
Horace Sudler	37,325
Felicia K. Conner	962

KENT COUNTY

James E. Corrigan	7,167
Horace Sudler	6,632

PROCLAMATIONS

SUSSEX COUNTY

James E. Corrigan	8,320
Horace Sudler	9,783

AND WHEREAS, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Insurance Commissioner the result appears as follows, to wit:

Whole number of votes for James E. Corrigan ...	39,478
Whole number of votes for Horace Sudler	53,740
Whole number of votes for Felicia K. Conner ...	962

NOW THEREFORE, I, John G. Townsend, Jr., Governor of the State of Delaware, do hereby declare that Horace Sudler has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Insurance Commissioner of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the 15th day of November, in the year of our Lord one thousand
 [GREAT SEAL] nine hundred and twenty and of the Independence of the said State the one hundred and forty-fifth.

By the Governor,

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,

Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

JOHN G. TOWNSEND, JR.

Governor of the said State.

To all persons to whom these presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the second day of November, in the year of our Lord one thousand nine hundred and twenty, that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of a

STATE TREASURER OF THE STATE OF DELAWARE

AND WHEREAS, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said counties respectively for such State Treasurer were cast as follows, to wit:

NEW CASTLE COUNTY

William D. Mullen	24,187
George M. Fisher	36,805 .
Benjamin C. Coverman	965

KENT COUNTY

William D. Mullen	7,178
George M. Fisher	6,574

PROCLAMATIONS

SUSSEX COUNTY

William D. Mullen	8,458
George M. Fisher	9,655

AND WHEREAS, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such State Treasurer, the result appears as follows, to wit:

Whole number of votes for William D. Mullen ...	39,823
Whole number of votes for George M. Fisher	53,034
Whole number of votes for Benjamin C. Coverman	965

NOW, THEREFORE, I, John D. Townsend, Jr., Governor of the State of Delaware, do hereby declare that George M. Fisher has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the State Treasurer of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the 15th day of November in the year of our Lord one thousand
[GREAT SEAL] nine hundred and twenty and of the independence of the said State the one hundred and forty-fifth.

By the Governor,

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,
Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

JOHN G. TOWNSEND, JR.

Governor of the said State.

To all persons to whom these presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the second day of November, in the year of our Lord one thousand nine hundred and twenty, that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of an

AUDITOR OF ACCOUNTS OF THE STATE OF DELAWARE

AND WHEREAS, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said counties respectively for such Auditor of Accounts were cast as follows, to wit:

NEW CASTLE COUNTY

James Martin	23,890
Daniel Thompson	36,197
Benjamin K. Smedley	1,345
Carl O. Brenna	917

• PROCLAMATIONS

KENT COUNTY

James Martin	7,323
Daniel Thompson	6,319
Benjamin K. Smedley	156

SUSSEX COUNTY

James Martin	8,467
Daniel Thompson	9,632

AND WHEREAS, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Auditor of Accounts, the result appears as follows, to wit:

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Thanksgiving is an American Institution. It represents the spirit of the Home—and upon such is America founded. Around other days cluster the thoughts and memories of some deed or event. Thanksgiving glows with the Ideals of the Fireside. All nationalities, all creeds, all schools of thought, political or social, acknowledge with appreciation the Idea that inspired this day.

Stressed with events, that challenged all we most loved, our Nation, conceived and founded on Home, still lives. The strength of our Ideals, our achievements, human and continuous, still prevail against evil thoughts and malicious powers. Law and order are supreme, and rights of liberty under them are enjoyed.

During the year our State has been blessed with peace and prosperity. Our efforts in daily labors have yielded ample rewards. Our opportunities to assist our fellow man have challenged our better selves.

To this and for these, according to custom, so richly inherited, and by proclamation of the President, I, JOHN G. TOWNSEND, JR., Governor of the State of Delaware, do designate

THURSDAY

NOVEMBER THE TWENTY-FIFTH AS

THANKSGIVING DAY

and call upon the people of Delaware to lay aside the complexities

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

WHEREAS, George M. Fisher, State Treasurer of the State of Delaware, has reported to me a list of corporations which for two years preceding such report have failed to pay the taxes assessed against them and due by them under the laws of this State:

Now, therefore, I, John G. Townsend, Jr., do hereby issue this Proclamation according to the provisions of Sections 75 and 76, Chapter 6, of the Revised Statutes of 1915, as amended, and do hereby declare under this Act of the Legislature that the charters of the following corporations, reported as aforesaid, are repealed:

A-B-F Economizer Company, A. B. Rothacker Rubber Company, Incorporated, A. C. H. System, Incorporated, A. F. Bautro Aerial Navigation Corporation, A. G. Neville Company, A-Mon-Da-Mi-Na Company, A. S. Ford Munitions Company, Acme Bed Company, Acme Block Resurfacing Company, Acme Specialty Manufacturing Company, Inc., Adjustable Appliance Association, Advance Chemical Company, The, Advance Calking Company, Addison Co., Inc., The, Advance Electric Company, The, Aderson-Henderson Company, Adling Hosiery Company Adelphi Motion Picture Corporation, Advance Motor Truck Corporation, Adjusquick Sales Corporation, Admiralen Steamship Company, Adjustable Steel Centering Company, The, Africa-American Diamond Mines Corporation, Airtrades Company of America, Afasco Forwarding and Shipping Corporation,

PROCLAMATIONS

American Investment Corporation, American Lamp Company, American Mutual Products and Canning Company, American Mailing Machine Company, American Mineral Grinding Company, American Mortgage Credit Company, American Motor Car Company, American Natural Gas and Oil Corporation, American Novelty Company, Inc., of Newport, Ky., American Oil Developing and Leasing Corporation, American Ore Reduction Company, American Outboard Motor Corporation, The, American Plaster Board Company, American Petroleum Corporation, American Paint Products Company, American Premium Distributing Company, American Puzzle and Novelty Company, American Quarries and Transportation Company, American Royalties Company, American Sales Association, Incorporated, American Standard Fire Extinguishing Company, American Silver Mines and Smelting Company, American Sulphur Fertilizer Company of America, American Safety Air-Craft Company, American Sanitary Paper Company, American Shade Roller Company of the United States, Incorporated, American Spectograph Company, The, American Syrup Company, American Traders Corporation, American Telephonograph Corporation, American Title and Trust Company, American Toy Corporation, American U-Boat and Arms Corporation, American Utensil Supply Manufacturing Company, American Window Cleaning Company, Anchor Marble Company, Antilles Oil Company, The, Anglo-American Lens Grinding Corporation, Anglo-American Consolidated Coal Company, Anglo-American Development Company, Animated Bulletin Company, Antioquia Dredging Company, Anderson National Container Company, Inc., Aquatic Food and Products Company, Apollo Manufacturing Company, The, Aqua Nova Vita Company, Arch of Arches Company, Arizona-Butte Corporation, Artisto Company of America, Arkansas City Refining Company, Arizona-California Consolidated, Inc., Arizona Copperfields, Inc., Arizona-Eastern Publicity Corporation, Arizona Film Company, Art Film Corporation, Artisans Oil and Gas Company, Argyle Oil and Gas Company, Arkano Oil Company, Arden Plantation, Inc., The, Art Silk Company of America, Art Silk Sales Company, Arthors Selling Company, The, Arizona Thumb Butte Mining Company, Arlington

PROCLAMATIONS

Time Service Company, The, Associated Building and Materials Companies, Inc., Associated Commissaries, Inc., Associated

PROCLAMATIONS

Corporation, Bethlehem Mortgage and Finance Company, Beverage Specialties Corporation, Best Water Company, The, Bilrowe Alloys Company, Big Five Film Sales Company, Inc., The, Big Five Film Company, Inc., The, Big 4 Tire and Rubber Company, The, Bilton Oil and Gas Company, Billiken Oil Company, Big Pines Lime and Transportation Company of Delaware, Big Six Petroleum Company, Biggam Trailer Corporation, The, Bird Coal and Iron Company, Birmingham Syrup Company, The, Blackhawk Airplane Company, Blackstone Coal Company, Black Diamond Graphite Company, Black River Oil Corporation, Blue Dick Mining and Milling Company, The, Blue Grass Oil Company, Bluebird Phonographs, Inc., Blue Ridge Clay Products Company, Blue Ridge Minerals Company, Bluff Spring Mines Corporation, The, Boilac Company of America, The, Bobo Manufacturing Company, Boothwyn Brick Company, The, Bolivian Cattle Ranches, Inc., Booth Cold Storage Company, Bonded Financing Company, The, Bolivian Petroleum Exploration Co., Boston Acme Mines Corporation, Boston-Utah Mining Company, Bour-Davis Motor Sales Company, Bour-Davis Motor Car Company, Bourne Magnetic Truck Company, Bourne Magnetic Truck Company, Bowes Manufacturing Company, Boyd Motors Corporation, Bowers Realty Company, Bradshaw Copper Mines Company, Bradley-Ellis Motor Company, Branch Bank Corporation, Brazilian Coconut Product's Corporation, Brandywine Fibre Company, Brevard Farms Company, Bridgeville Bus Company, Bridgeport Heel Plate Company, Bridge River Mining Company, Brigham Young, Jr., Inc., Brinckloe & Co., Britten-Cook Investment Company, Britten-Cook Land and Livestock Company, Inc., Bristol Power, Pulp and Paper Company, Brokaw Engineering Corporation, Bronx Mining Corporation, Brooks Shipbuilding Corporation, Brown & Cronin Greater Show Company, The, Brown Disinfectant and Chemical Co., Brown Novelty Manufacturing Company, Brown Oil Company, Brutus Mining Company, Bryant Producing Co., Buchan Coal, Timber and Mineral Corporation, Buckeye Puncture Proof Tire Company, Buck Run Oil and Refining Company, Buck Run Oil Company, Bunting Boiler Company, Buffalo Creek Coal Company, Bullion Hydraulic Mining Company, Buffalo Merrill System Construction Company,

PROCLAMATIONS.

Inc., Bullard Peak Silver Mining Company, Burton Auto Fender Company, Bureau of Publications, Inc., Burnrite Coal Briquetting Company, Burry-Erskine Amusement Company, Business Builders and Underwriters Company, Inc., Business Institute, Inc., Business Men's Clearing House, Inc., Butte Central Mining and Milling Co., Butte-Detroit Copper and Zinc Mining Company, Butte-Southern Copper Mining Company.

C. & B. Oil and Gas Company, C. D. Gray Company, C. E. Finch Company, The, California Fruit Company, C. G. Morrell, Inc., C. H. Lord Corporation, Calumet Improvement Company, Callahan Loan & Trust Company, Calumet Machine and Casting Company, Caddo Oil Company, California Oil Company, Caloosahatchee River Grapefruit Company, C. S. Hixson Candy Company, Calf-Way Milker Company, Camp Johnston Catering Company, Canadian-American Arms Corporation, Capital City Theatre Company, Capital Finance Company, The, Canoe Oil and Gas Company, The, Capitol Photoplay Company, The, Cap Rock Oil and Gas Company, Carnation Copper Company, Carl Fiskaaen Shipping, Inc., Cariboa Gold Mining Company, Carmen Oil Company, Car Owners' Protective League of America, Carlson-Wenstrom Company, The, Carlson-Wenstrom Manufacturing Company, Inc., The, Carson-Chormann Company, The, Carr Leather Company, The, Carter Metals Cleaning Company, Carween Steel Tool Company, Cash Contracts Company, The, Casa Grande Hotel Company, The, Central Atlantic Company, Cedars Amusement Company, Central Brokerage and Importing Co., Center-Fed Lubricated Spring Insert Company, Central Grocery Company, Cedar Hill Oil Company, Central Oil Burner Corporation, Central Oil Transportation and Development Corporation, Central Real Estate and Insurance Agency, Inc., Century Syndicate, Central Utilities and Securities Company, Charter Automobile Company, The, Charles E. Biddle Company, Charles H. Law Construction Company, Charles H. Law Plumbing and Heating Company, Charles Simone Advertising Agency, Inc., The, Chemical Apparatus Manufacturing Corporation, Chatamarca Bolivian Tin Mines Company, Cherokee Realty Company of Pittsburgh, Pa., Chemical Securities Company, Inc., China Construction Com-

PROCLAMATIONS

pany, Ltd., Chicago Car Advertising Company, Chicago-Florida Company, Childs Grocery Company, Chicago-Kansas Oil Co., Chicago-Montana Manganese Company, Choctaw Oil Company, Chicago Rag Coal and Oil Company, Chino-Texas Oil Company, Chicago-Texas Trust Company, Cinnakol Chemical Company, Citrus Lumber Company, Cigar Machine Corporation of America, The, City Realty Company, Church and School Social Service Bureau, Inc., The, Clayton Company, The, Claridge Hotel Co., The, Classic Motors and Aeronautic Company, Classique Phonograph Corporation, Cleveland Brass Products Company, Climax Lubricating Company, Club Laundry and Cleaning Company, Cliveden Mills Company, Cocoa-Cola Bottling Company of Littleton, Coca-Cola Bottling Company of Lowell, Cocoa Cream Company of New Orleans, La., Coca-Cola Bottling Company of Worcester, Coastwise Dredging Company, Coast Export Corporation, The, Coast Oil and Transportation Company, Coal Properties Corporation, Collier Cartridge Company, Collateral Loan Company, Columbia Tire and Rubber Company, Colorado-Kentucky Oil and Refining Company, The, Columbia River Timber and Logging Company, Community Chemical Company, Commercial Forwarding Company, Community Grocery Stores, Inc., The, Commonwealth Home Building Company, Combination Lighting Unit Company, Commonwealth Oil and Gas Land Company, Commercial Protective Association, Inc., of Wisconsin, Commonwealth Products Corporation, Compoloid Products Corporation, Commonwealth Silica Company, Commonwealth Tire Corporation of America, The, Comer Turpentine and Rosin Company, Commonwealth Tire and Rubber Company, Concrete and Excavation Company, The, Cook Gear Shift Company, Concrete Steel Forms Company, Concord Squab and Poultry Company, The, Concrete Ship and Barge Corporation, Conqueror Oil and Gas Company, Consolidated Company of Delaware, Consumers' Cooperative Coal Company, Consolidated Flooring Company, Consolidated Interstate Zinc Company, Consumers' Livestock and Ranch Corporation, Consolidated Lumber and Timber Company, The, Consolidated Motors Corporation, Consolidated Manufacturers Corporation, Consolidated Oil Company of Texas, Conshohocken Steel and Alloy Corporation, Consumers' Supply Com-

PROCLAMATIONS

pany, Consumers' Wholesale Company, Continental Aircraft Corporation, Continental Battery Company, Continental Construction Corporation, Continental Farm Products Corporation, Continental Oil Industries Company, Continental Securities and Agency Company, Convolute Springs Company, Convict Ship "Success" Company, The, Continental Tire and Rubber Company, Cook-Arnold Carburetor Company, Co-operative Restaurant Supply Company, Coombs Company, The, Corporation Agency Company of Delaware, Inc., The, Corporation for Chemical Industry, Corporation Underwriters Company, Cosmic Chemical Company, Inc., Cosmon Oil Company, Couple Gear Power Truck Company, Cotton Harvesting Machine Company, Cowan Manufacturing Company, Craig Oil and Development Company, Crank Shaft Company of America, Crawford & Smith, Inc., Crescent Engineering Company, Crescent Fire Brick Company, Crescent Iron Works, Inc., Creamery Products Company, The, Cream of Rye Bread Company, Cronister Sand and Supply Company, Cross Bayou Development Company, Cross-Port Motor Company, Crucible Clay Company of America, Crude Exploration Company, Crowning Glory Manufacturing Company, Inc., Crucible Products Company, Crystal-Plains Petroleum and Gas Company, Cuban-American Telephone and Telegraph Company, Cuba Lumber and Coal Company, The, Cuban Products Corporation, Cumberland Valley Hog Company.

D'Amico & Co., D. & D. Mining Company, Inc., D. R. U. Corset Company, Dairy Shippers Despatch, Danser & Co., Daniel Engine Company, The, Darling Motor Company, Dart Manufacturing Company, The, Darling Mining and Milling Company, Davis Phonograph Company, Day-Pollock Company, Inc., De Ford's, Inc., De Lorenzo Aeroplane Company, De Lloyd Thompson School of Flying, Inc., De Mun Manufacturing Company, Decker Machine and Tractor Company, The, Defender Tire and Rubber Company, Delinter Corporation, The, Delta Cane Company, Delmarvia Drug and Chemical Company, Delko Oil and Gas Company, Delta Ship Building and Dry Dock Company,

PROCLAMATIONS

ware Hog Farms, Inc., The, Delaware and Maryland Traction Securities Company, Delaware Produce Exchange, Inc., Delaware Protective Association, The, Delaware Panuco Oil Corporation, Delaware Reduction Company, Delaware River Pipe Company, Delaware Registry and Finance Company, Dentola Company, Inc., The, Denlinger Manufacturing Company, Department Stores Hair Goods Company, Depew Water Proofing Company, Detroit Corporation, The, Detroit Gas Turbine Corporation, Detroiters Motors Company, Devonian Mineral Spring Company, Diamantine Chemical Company of Monessen, Pa., The, Dickson-Hartung Company, Diamond Manufacturing Company, Diehl Pottery Company, Diamond State Motor Company, District Auto Company, Inc., Dixie Cotton Gin Company, Dissinger Farm Company, The, Dixie Gas Company, Dixie Products Company, Dittenhoefer Tube and Rubber Company, The, Dobbins Core Drill Company, The, Dobbert Decorating Company, Domestic Gas Maker Company, The, Dominion Oil and Gas Company, Donegal Stock Farms Company, Dovrefjeld Sailing Ship Company, Double A Products Company, Doubling Gap White Sulphur Springs Hotel and Sanatorium Company, Dover Oil Company, Dorchester Shipbuilding Corporation, Dowine Amusement Company, Doylestown Lumber and Coal Company, Dr. Lang Food Process and Manufacturing Company, Drury Motion Picture Corporation, The, Dual-Impulse Motors Company, Duke Motor Company of Pittsburgh, Pa., Duluth & Minneapolis Mining Company, Dunbar Lodge Company, Dunwoody Automatic Gun and Projectile Company, Duquesne Aircraft Corporation, Duquesne Bond Corporation.

Eastern Aniline and Chemical Company, Inc., E. A. Pierce & Co., Inc., Eastern Chemical Company, Eastern Dairy Company, E. F. Shepard & Co., E. H. King Company, E. J. Ranklin Company, East Kentucky Oil and Gas Company, Eastern Railway Signal Company, The, Eastern Syndicate Corporation, Eastern Shore Shipbuilding Corporation, Eastern Transit Line, Inc., East Tennessee Oak Company, E. W. DeLeon, Inc., East & Western Oil Company, E. W. Rothrock Co., Inc., Ecar Company, The, Ebert-Duryea Farm Tractor Agency Company of Maryland, Inc.,

PROCLAMATIONS

Economic Electric Company, Economizer Manufacturing Company, Economy Motor Manufacturing Company, Economy Safety Blade Stropper Company, The, Economy Service Corporation, Economy Specialties Company, Edwin C. Hill Company, Efanem Film Company, Inc., Efilatem Lubricants Company, Egyptian Manufacturing Company, Egis Manufacturing Co., Inc., Edward M. Harding & Co., Edge Moor Land Company, Educator Sales Company, Eisenhuth Compound Motor Company, Inc., Electric Carrier Company, Eliason Manufacturing Company, Electric Manufacturing Company, The, Electro Products Corporation, Electrical Products Corporation, Elite Plan Stores Corporation, Ely Vermillion Iron Company, Ellwood Roberts Company, Engineering and Contracting Company, Emma Consolidated Mines Company, Empire Exploration Company, The, Empire Fire Brick Corporation, Entertainment Films Corporation, Endicott Farms Company, Emerson Motors Company, The, Equitable Service Corporation, Emboso Sales Company, Empire State Zinc and Copper Company, Inc., Ensign Yellow Pine Company, Inc., Erie Tempered Copper Products Company, Erickson Wheel Corporation, Estill Coal and Coke Company, Eureka Cloak and Suit Company, Esperienceae Corocoro Consolidated Gold Mines Company, Inc., Eureka Electric Indicator Company, Esperanza Mines of California, Inc., Essex Publishing Company, The, Export Coal Company, Exchange Company, The, Export Development Association of America, Evans Engineering Corporation, Everett Gas Company, Export and Import Company of the American Republics, The, Export Industrial Corporation, Exporters International Express Company, Excelsior Lock Company, Exchange Oil and Gas Company, Export Underwriters, Inc.

F. E. Mulkie Company, Inc., Falcon Manufacturing Company, Fan Muffler Company, Famous Manufacturing Company, Fair Oil and Gas Company, Famous Pictures Corporation, The, Famous Stars Pictures Corporation, Fairhaven Water and Mining Company, Far-Better Brick and Tile Co., The, Farm Development Corporation, Farley Patent Cuff Company, Farm Power Equipment Company, Farm Tractor Service Company, Farm to Table Association, Inc., Federal Airship Company, Fenton Beach

PROCLAMATIONS

Improvement Company, Federal Finance Company, Federal Gas and Oil Products Corporation, Federal Improvement Company, Featherweight Piston Company, Federal Shipbuilding Corporation, Feber Company, The, Fernandina Ship Building and Dry Dock Company, Fibre-Hide Manufacturing Company, Field Oil Co., Inc., Fidelity Securities Company, Fibre Rubber Manufacturing Company, Inc., Finance Company of the American Republics, The, First Finance Corporation, Financial and Investment Company, First Mortgage and Securities Corporation, Financial Syndicate Corporation, Finston System, Inc., The, Fisheries Products Corporation, The, Flanagan & Burns, Inc., Fletcher Cooke Company, Inc., Florida Association, Flora Fiber Company, Florida Fruit and Stock Farms Company, Florida Lumber Vulcanizing Corporation, Food and Merchandise Company, Folger-Montgomery Corporation, Folding Scaffold Appliance Company, Food Sterilization Company, Ford Body Company, The, Forest Manufacturing Company, Fort Mifflin Ship Building Company, Foyer Publishing Company, Inc., Forest Products Company, Fort Pitt Taxi and Motor Service Company, Forsch-Straus-Englander Company, Ford Tractor Company, Inc., Franklin Bus Company, The, Frank C. Courtney Company, Franklin Construction Company, The, Fraser's Central Gold Mines Company, Franklin Foundries Corporation, Franklin Mortgage Company, Franey-Shore Company, The, Frankford Taxi Company, French Creek Oil and Gas Company, Inc., Frederickson Engineering Corporation, Frozen Creek Coal Company, Frumer Mail and Milk Receiver, Inc., The, Furvanheidl Co., Fyrox Company of Pennsylvania, Fuller Paste Company, Fulton Realty Company, The.

G. E. Troeger Mfg. Co., Gamble Fuel Briquette Company. G. H. Swanfield Company, Gallaher-Stafford Company, Gavin-Armour Steel Wheel Company, Inc., The, Gas Engine Aerator Company, Garwood Gas Radiator Company, Gates Live Stock Company, The, Garrison Motor Cycle Company, Gasoline Producing Corporation, Gas Power Engineering Corporation, General Aeronautic Corporation, General Bauxite Company, The, General Bond and Share Company, General Construction Company,

PROCLAMATIONS

General Conveyor Company, General Cattle and Hog Company, The, General Exploration Company, General Guarantee Trust Company, The, Georgetown Land Company, The, Gem Motor Car Corporation, General Mines Company, Getchell Mines and Development Corporation, Georgia Oil and Gas Company, Geary Oil and Gas Company, The, General Patents Holding Company, General Refining and Producing Company, General Shipping Agency, Inc., General Silica Company, Germantown Upholstery and Storage Company, George W. Parvis, Jr., Inc., Gibson Furnace Company, Gilmer Binders, Inc., Giles Food Service Company, Giseke Steel Collapsible Crate and Box Company, Gilbert S. Faries & Co., Chester Heights, Delaware county, Pa., Gillespie-Wolf Motor Patents Company, Globe Eastern Copper Mining Company, Glenn Hosiery Mills Company, Glen Motor Truck and Trailer Corporation, Globe Securities Investment Company, Globe Underwriting Company, The, Golden Dream Mining Company, Goldstone Mining Company, Golf Shop Company, The, Goodwater Graphite Company, Inc., Gould Motor Parts Company, Graham Supply Company, The, Graeber Vacuum Piano-Player Attachment Co., Inc., Grandma's Braided Rug and Mat Company, Grand Canyon Gold Company, Grant Hammond Arms Corporation, Grant Hammond Manufacturing Corporation, Grand River Mining Corporation, Great American Trunk and Tractor Company, Great Eastern Power Company, Great Eastern Shipbuilding and Drydock Company, Inc., Great Eastern Oil and Gas Company, The, Greenville Lumber Company, Inc., Great-Lakes Sheep and Cattle Company, Greenback Mining and Smelting Company, Green Ridge Heights Orchard Company, Great West Potash Company, Gregory Lumber Company, Inc., Guaranty Development Company, Gulf Finance Company, Guernsey Oil and Gas Company, Gulf Producing Company of Alabama, Gulf Producing Company.

H. A. Norbom Manufacturing Company, The, H. B. Sutton Advertising Service, Inc., H. E. Greims and Associates, Inc., H. J. Graham Engineering Corporation, H. J. Hand & Co., Inc., H. M. Conger Company, H. M. Lockwood, Inc., H. & N. Manufacturing Corporation, Haglock Air Purifier Company, Haines

PROCLAMATIONS

Oil Measuring Pump Company, Hammond-White Manufacturing Company, Hanover Flour and Feed Company, Harmonola Company, The, Harlem Land Company, The, Hardy Poultry Food and Supply Company, Harris Amusement Company of McKeesport, Harry Livingston Company, Inc., The, Harry Palmer, Inc., Harrisburg Wholesale Distributing Company, Hartford Brick and Sand Corporation, Havana-American Oil Corporation, Haviland-Armstrong Company, The, Hatter Burke, Inc., Havana Heights Railway Company, The, Hawkins Invisible Belt Company, Hawley Motor-Devices Company, Hawthorne Silver and Iron Mines, Limited, Inc., Hazard Electric Shop, Inc., Hayes-Starnes Axle Company, Haylight Sign Company, Inc., The, Hedden-Pearson-Starret Corporation, Heath Self-Opening Stopper Company, Headley Wood & Co., Inc., Heinel Machine Company, Hendee Wrench Mfg. Co., The, Herendeen Milling and Bread Company, Hermine Operating Company, Hercules Oil and Gas Company, Herriman Truck and Tractor Company, Heyl Dairy Equipment Company, Hickson Company, The, High Seas Products Co., High Speed Transportation Corporation, Hiney Invisible Window Screen Company, Hoffman & Co., Hold-Fast Cue Tip Co., Holtite-Thistle Company, Inc., Holland Trailer-Car Corporation, Homestead Engineering Laboratories Company, Homeseekers Investment Company, Hop-Lorraine Mines Company, Honduras Naval Stores Company, Homeway Process Fruit Company, The, Home Purchasing Contract Company, Honduras Rice Company, Home Supply Company, Hoodless Ship Company, Home Savings, Loan and Trust Company, Horn Shipbuilding Company, The, Hotel Finance Company, Houghton Steamship Company, Howard Coal Company, Howard Consolidated Coal Oil and Gas Corporation, Hurley & Earley, Inc., Hurd Tire Corporation, Hydrocarbons Converter Company, Hydrocarbon Converter Company, Hydro-Carbon Wickless Burner Company, The, Hydro-Submersible Corporation, Hydro-Submersible Corporation of America, Hydragas Sales Company, Inc.

Illinois Animated Advertising Company, Imperial Auto Wheel Company, Inc., Import and Export Company, Inc., The, Illinois-Kentucky Oil and Refining Company, Imperial Lead

PROCLAMATIONS

Corporation, Imperial Oil and Gas Company, Improved Rubber Company, Inc., Ideal Realty Company, Imperial Trust Company, The, Imperial Talking Machine Company, Imperial Tire and Rubber Company, Iron Bonnett Gold Mining Company, Indian Copper Company, Industrial Credit Corporation, Inventions Corporation, The, Indian Field Oil and Gas Company, Ingram-Hatch Motor Corporation, Interlocking Key Brick and Block Company, Indian Lasko Mineral Water Company, Incaoro Mines Company, Industrial Paint Works, Inc., Industrial Realty Corporation, Investors' Service Company, Insurance Sales Company, Irvin & Shank, Inc., Industrial Safety Service Corporation, Industrial Waste Disposal Corporation, Interstate Advertising Company, International Bonding Company, International Coal Corporation, International Commercial Company, Inc., Interstate Corporation, The, International Cigar and Cigarette Company, International Cap and Sealing Machine Company, International Development Company, International Exploration Corporation, International Engineering Corporation, International Fur Farms Corporation, International Firearms Company, International Grocery and Provision Company, International Import and Export Company, International Leather Corporation, Inc., International Labor Supply Corporation, International Motor Accessories Corporation, International Merchandise Corporation, International Machine and Tool Corporation, International Motor Clubs Association, International Motor Truck Wheel Corporation, International Chemical Corporation of Washington, D. C., International Navigation Corporation of Delaware, International Organotherapy Company, The, International Ochre Company, International Oil and Gas Company of Pittsburgh, Inter-Ocean Marine Navigation Corporation, Intercoast Oil and Refining Company, International Phonograph Corporation, Intercontinental Petroleum Corporation, International Printing Plate Company, International Resilient Tire Company, Interstate Railway Supply Company, International Syndicate of Mines and Smelters, International Sales Corporation of Washington, D. C., Inter-State Garage and Machine Shop, Inc., International Safety Railway Tie Co., Interstate Sales-Service Corporation, International Securities and Development Corpora-

PROCLAMATIONS

tion, Inter-State Gas Light and Service Company, International Wheel and Rim Company, Italian-American Packing and Preserving Company, Irving Construction Company, Irvine Kentucky Oil Company, Isle of Wight Mineral Water Company.

Jays' Agency Company, J. B. Burley & Co., J. B. Langley & Co., J. B. Reed Company, J. B. Rush Company, J. Caldwell Benson Company, The, James C. Marsh, Inc., Jacob Goldsmith & Co., Inc., Jacob G. Shirk Tobacco Company, The, J. H. D. Amusement Company, James H. Wright, Inc., J. I. Gore Company, The, J. L. Donohue & Co., J. L. Webb & Co., Jamestown Oil Company, Jack Patch Manufacturing Company, James Patterson's Trained Wild Animal Circus, a Corporation, Jackson Trust Company, J. T. Norris & Co., Inc., Jeffris Lumber Company, Jennings Motor Sales Corporation, Jefferson Plantation Company, Jefferson Rolling Mill Company, Jiffy Wrench Company, John Daley, Jr., Inc., John Duff Manufacturing Company, John F. Meenehan Company, Inc., John G. Unkefer & Co., John Hancock Institute, Inc., Johnny Jones Cigar Company, Johnston-Pyrolin Corporation, The, Johnson Ventilating Company, Jones, Hartsfield & Co., Inc., Joseph R. Richardson Company, Joseph W. Barnes Company, Julian Signal Company, Inc.

Kansas Consolidated Oil and Gas Co., Kay Bee Company, The, Kansas City Progress Oil and Refining Company, Kansas Light Oil Company, Karuza Provision Company, Kansas-Utah Consolidated Oil Company, Kemoroid Products Company, Kennedy "Automatic" Gas Saving Stove Company, The, Kent County Oil, Gas and Coal Corporation, Kent County Land Company, Kennecott Extension Copper Company, Inc., Kentucky Petroleum Corporation, Kentucky Producing and Refining Company, The, Kentucky Southwestern Electric Railway, Light and Power Company, The, Kensington Tanning Company, Kentucky-Texas Oil Company, Key Block Paving Company, Keystone Car Advertising Company, The, Keystone Consolidated Oil Corporation, Keystone Fireproofing Company, Keystone Graphite Company, Keystone Indicator Company, The, Keystone Latch Needle Manufacturing Company, Keystone Oil Company, Keystone Minerals Com-

PROCLAMATIONS

pany of Pennsylvania, Keystone Manufacturing Company of New Kensington, Pa., Keystone Oil Company, Kern River Mining Company, Keystone Resilient Wheel Company, Keystone Saving Fund and Loan Association, Keystone Truck and Cross Tie Company, Keystone Textile Company, Kilgore Manufacturing Company, The, Kiamensi Springs Company, The, King International Service, Inc., King Karbon Killer Corporation, Kleber Piano Company, Knoblick Mining Company, Knoxdale Mines Company, Koerner Oil and Gas Company, Kootenai Falls Power Company, Kootenay Silver Mines Company, Inc., Kraton Drug Company, Kyle Drilling Company.

La-Badie-Judd Film Company, La-Caddo Producers Company, Lafourche Hotel Company, The, Laboratory Products Corporation, The, Lake Yale Lumber Company, Lamb Automatic Egg-Boiler Company, The, Lamson Company, Lamb Controlling System Company, The, Lamson Truck and Tractor Company, Land Development and Title Company, Latin-American Car and Coast Lighting Company, Langley & Co., Inc., Lanzius Aircraft Company, Latham Advertising Service Company, Laurel and Bethel Camp Ground Association, Lawyers' and Bankers' Corporation, The, Lawrence Oil Corporation, Leadville Mining Company, Leetsdale Foundry and Manufacturing Company, Lehigh New England Coal Company, Leonard's, Inc., Lentz Manufacturing Company, Leroy Adams Oil Company, The, Lester Adams Tobacco Press Co., Letcher-Elkhorn Coal Company, Lewis Agency, Inc., The, Lewis Motor Corporation, Lexington Motor Sales Company, Liberty Aircraft Company, Liberty Oil Company, Liberty Oil and Gas Corporation, Li Po. Mfg. Co., Inc., Liberty Pecan and Cattle Company, Liberty Rubber Products Company, Liberty Shipbuilding Corporation, Liberty Securities Corporation, Lincoln Coal and Coke Company, Lincoln Correspondence Schools, Inc., Line Drive Truck and Tractor Corporation, Lincoln Timber Company, Lion Talking Machine Company, The, Little Giant Truck Company, Live Oak Products Company, Live Stock Products Company, Lloyd's Springs Co., Lohmann Realty and Investment Company, The, Lorraine Chemical Works, Inc., Lookout Oil and Gas Company, The, Lone Star Oil Company, Lost City

PROCLAMATIONS

Oil and Gas Corporation, Louisiana Iberia Oil Company, Louisiana-Kentucky Fluorspar and Lead Company, Loo Lick Oil Company, Lotus Manufacturing Company, Louisiana-Texas Oil Corporation, Lovi Oil and Gas Company, Luce Auto Power and Tractor Co., Lubrex Oil and Grease Company, Lufkin Salvage and Shipping Corporation.

M. E. Hopkins & Co., M. K. B. Rubber Company, M. & K. Co., Inc., M. & M. Manufacturing Company, M. S. Caver Company, Inc., Macy-Rodgers Company, Machinery Warehouse and Sales Company, Madison Motors Corporation, Magneto Parts Co., Inc., of Delaware, Magnolia Products Company, Magno Supply Company, Madigan Union Corporation, Main Line Stone Company, Mahoney Mining Company, Maitland Tire and Tube Company, Malinite Company, The, Mammoth Channel Gold Mines of California, Inc., Malcar Company, The, "Malrah" Fur Seal and Leather Company, Malette Products Company, The, Manganese Development Company, Manufacturers' Export and Import Corporation, Mann Metals and Iron Company, Manufacturers' and Merchants' Lighterage Company, Manufacturers' Oil and Refining Co., Marion Coal and Lumber Company, Marie Dressler Motion Picture Corporation, Mardelva Electric and Engineering Company, Marine Instrument Company, Marquette Oil Company, Marine Steel Company, Marine Safety Appliance Corporation, The, Marvelo Detergent Refining Company, Maryland Fibre Company, Masonic Publishing Company, Masters' Metals Corporation, The, Masson Manufacturing Corporation, Mathieu Corporation, The, Maude Hamilton Amusement Company, Max Korngold, Inc., Maxwell Manufacturing Company, Mayo Oil Company, The, Mechanical Appliances and Power Co., Mechanical Sign Company, Mechanical Window Glass Company, Melday, Inc., Melodius Phonograph Corporation, Memometer Company, The, Mendantonio Oil Company, Merchants' Amusement Ticket Co., Merchant Grocers' Baking Company, Merchants' Loan Exchange, Inc., Merchants' & Manufacturers' Service Corporation, Mesco Motor Company, Mentztown Novelty Manufacturing Company, The, Merry Oil and Refining Company, Metropolis Motor Company, Metals Refining Corporation, The, Metropolitan Sales Com-

PROCLAMATIONS

pany, Mexican Irrigated Estate's, Inc., Mexcruco Oil Company, Mexican Plantation Association, Inc., Mid-West Amusement Company of Chicago, Mid-Continental Development Co., Mid-Continental Oil Company, Mid-Lake Oil and Gas Company, Mid-West Motor Company, Midland Mortgage and Securities Co., Midland Tractor Company, Midvale Oil and Gas Company, Mica Products Company, The, Mid-States Oil and Gas Company, Milton Motor Car Company, Milford and Philadelphia Freight Line Company, The, Milk Solids Company of N. Y., Mills Aeroplane Corporation, Miller Automatic Restaurant Corporation, Millington Auto Engineering Company, Miller Copper Company, Miller Carburetor Distributors, Inc., Millington Motor Car Company, Minerva Laboratories, Inc., Mina Mexico Mining Company, Mines and Metals Corporation, The, Mimbres Mining Company, Mini Manufacturing Company, Mineral State Mining and Royalty Co., Mirafir Metal Company, Miser & Co., Missouri Valley Water-Power Co., Missouri Zinc Mines Company, Mitch-Ellis Motion Picture Company, Mitchell Hotels Company, Modern Boiler Works, Inc., Model Coffee House, Inc., The, Model House Building Company, Mohawk Navigation Corporation, Molectograph Company, Mogul Mining Company, Moki Table Beverage Company, Mogul Tyres, Inc., Mojave Tungsten Company, Monster Chief Mining Company, Montana Grain Ranch Company, Montezuma Mining and Reduction Corporation, Monongehela Oil Company, Mononoma Oil Company, Montgomery Shale Brick Company, The, Monarch Talking Machine Company, Inc., The, Monitor to the Executor and Trustee Company, The, Moore & Post, Inc., Moore-Weiser Corporation, The, Moravian Community, Inc., The, Morton Development Company, Morris Graphite Company, Morris Process Company, Motor Accessories Corporation, Mother Earth Fertilizer Company, Motors Financing Company, Motor Gas Generating Company, Motor Investment Company, Motorless Sign-Flasher Company, Motor Specialties Corporation of Chicago, Motor Syndicate, Inc., The, Mountain Oil and Gas Company, Mountain View Farm, Inc., Mueller-Dutton Company, Muddy Creek Oil and Gas Company, Multi-Battery System, Inc., Multi-Flame Gas Appliance Company, Mute-A-Phone Co., Mutual Black Fox Company, The, Mutual Coloniza-

PROCLAMATIONS

tion and Development Company, Ltd., Mutex Export and Import Corporation of America, Mutual Finance Corporation, Mutual Securities Company, The, Mutual Trading and Steamship Co.

McAlester Real Estate Exchange, Inc., McCaleb Adding Machine Company, McCall-Mitchell Company, MacDonald-Wyoming Oil Co., Inc., MacKinnon-Johnson Co., McKeesport Enameling Company, McKee Safety Appliance Corporation, McLean Company, The, McMannis & Callahan Live Stock Co.

Naaman Creek Development Co., The, Napoleon Hill Institute, Inc., Nagle Tire Company, Nassau Securities Company, Natural Chemical Products Corporation, Natural Process Company, Navajo Pacific Copper Company, Nazareth Securities Company, Inc., The, National Art Film Corporation, National Amusement Syndicate, National Brokerage Company, National Bank Service Corporation, National Bottle Washing Machinery Company, National Consolidated Investors, Inc., National Cooling Company, National Cinematic Corporation, National Cemite Corporation, National Coin Counting Machine Co., National Crude Oil Company, The, National Clay Company, National Collection Agency, National Commercial Underwriters, Inc., National Co-operative Drug Company, National Curtain Company, National Discount Advertising Association, National Distributing Bureau, Inc., National Die Casting and Metal Co., National Equipment Company, National Exhibit Car and Equipment Company, National Exchange Finance Company, National Electric Vending Company, National Film-Booking Service, Inc., National Fender Company, National Fibre and Pulp Corporation, National Film Studios, Inc., National Finance and Securities Corporation, The, National Hog Company, National Leasing Company, National Milk and Mail Box Company, National Motor Financing Corporation, National Oil Company of Kentucky, National Oil and Gas Company, National Oyster Company, National Refractories Company, National Seamless Boat Company, National Synthetic Rubber and Tire Company, National Silk Hosiery Company, Inc., National Thrift Company, The, National Theatre Equipment Company, National Tire Protector Company, Na-

PROCLAMATIONS

tional Table Waters Company, National Table Waters Company, The, National Transportation and Electric Service Corporation, National Underwriters Company of America, National Underwriting Syndicate, Inc., Nebraska Power Company, The, Neenan Patents Holding Company, Nelson Gold Mining Company, Nemo Casinghead Gasoline Company, Never Leak Flush Tank Company of Philadelphia, Newfoundland-American Packing Co., Inc., New Castle Amusement Company, New Era Construction Company, New Era Oil Co., New England-Wyoming Oil Company, New Iberia Company, New Jersey Aeroplane Company, New Jersey Coal Manufacturing Co., The, New Lightner Gold Mining Company, New London Shipbuilding Corporation, New Mexico Company, The, New River Naval Products Company, The, New Republic News Service, Inc., The, New York Calk Company, New York & Cuba Express Company, New York-Chino Valley Oil Syndicate, The, New York Dry Dock and Ship Construction Company, Inc., New York-Delaware Realty and Construction Company, New York Exhibitors' Advertising Corporation, New York Ice Cream and Creameries Company, New York-Irvine Oil Company, New York No-Break Egg Carrier Co., The, New York-Ozark Ore Reduction Co., New York Potash Corporation, New York Zinc Company, Nicholson Furnace Manufacturing Company, Nica Refining Co., Inc., Nicaragua Securities Company, Nonpareil Remedy Company, North American Petroleum and Gas Company, North American Reduction Company, Northern Development Company, North Eastern Laundry Company, Northern Haiti Sugar Corporation, Northeastern Mausoleum Company, North Penn Coal Company, North & South American Oil Co., The, Norwalk Steamship Company, Norwegian Ship Corporation, North Western Cooperative Grain Co., Nuremburg of America Toys, Inc., NuProcess Gasoline Company.

O'Brien & Co., Inc., O. S. Murphy Manufacturing Co., O'Sullivan Publishing Company, Ocotillo Sales Company, Oelwein Gas and Power Company, Odorless Paint Company, Odell & Steele Co., The, Oklahoma Exploration Oil and Gas Corporation, Oil Gas Machine Co., The, Oil Industries Corporation, Oklahoma-Kansas Oil, Gas and Mining Company, Ohio Manganese Com-

PROCLAMATIONS

pany, Oklahoma and Northwestern Cattle Company, Oko Oil and Gas Co. of Oklahoma, Ohio Permanent Road Construction Corporation, Ohio Rural Credit Association, Oil Securities Company, Oklahoma-Texas Oil and Gas Co., Oliver Company, Old Church Company, Old Colonial Chocolate Company, Old Church Fixtures Company, Old Dominion Paint Company, Old Forge Landing Iron and Steel Co. of Kentucky, Old Mexico Mining Company, The, Olympian Motor Sales Corporation, Olive Products Company of California, The, Olustee Pecan Orchards Company, Old Reliable Mercantile House, Inc., The, Old Spanish Copper Company, Omineca Timber and Mining Company, Oregon Timber Products Company, Osage Cattle Company, Ostend Hotel Company, Over-All Foot Ease Corporation, Ozonol Chemical Corporation, Oxidizing Process Company, Owl Sales Co., Inc., Overseas Trading Company.

P. & B. Ore Products Company, P. Curtis Koenne Company, Pacific Coast Timber Corporation, Packard Electric Motors Corporation, P. H. Sheridan Co., Pacific Transport Company, Ltd., Pahaquarry Mines Corporation, Pan-American Blaugas Company, Pan-American Institute, Inc., Pan-American Manganese Corporation, Pandora Copper Company, Palace Studio, Inc., Parafol Chemical Company, Parker Cooperative Company, Paramount Metals Company, Parsons Oil, Gas and Development Co., Park Rifle Range Company, Parcel Post Scale Sales Company, Pathfinder Company, The, Pathfinder Motor Company of America, Pawhuska Oil Company, Patent Products Corporation, The, Pathe Talking Machine Corporation, Peerless Adding Machine Company, Peerless Candy Company, Pecan Development Company, Peerless Laundry Company, Pearsons-Monnette Farm Lighting Corporation, Peerless Rug Cleaning and Machine Company, Peerless Refining Corporation, Pedlar Valley Lumber Co., The, Pelk Coal Company, Penn Auto Sales Corporation, Pennsylvania Automatic Sales Co., Pennsylvania Coal Mines Co., Inc., Pennsylvania Coal Co., The, Penn-Cola Company, The, Penn Development Company, Pensacola Fertilizer and Oil Company, Penn Grocers' Association, Pennsgrove Ferry Company, Pennsgrove Pier Company, Pennsylvania Gold Mining Company, Pennsyl-

PROCLAMATIONS

vania-Kentucky Oil and Gas Company, Penn-Ken Petroleum Company, Penn Land Company, Pennsy Motors Company of Pittsburgh, Penn National Oil Company, Pennsylvania Oil Company, Penco Oil and Gas Company, The, Pennsylvania-Ohio Oil and Gas Corporation, Pennsylvania Petroleum Company, Pennsylvania Rust-Proof Metals Co., Penn Syndicate, The, Pennsylvania Steel Car Company, Pensacola Trading Company, Penn Wholesale Drug Company, Pepsin Anodyne Compound Company, Permanent Buildings Society of America, The, Peoples' Cooperative Trading Corporation, Perry Corporation, The, Perry-Hazard Coal Company, Pershing Oil and Refining Company, Peptomint Products Company, Perfection Rug and Carpet Cleaning and Renovating Company, Peoples Securities Corporation, Peoples Saving Fund and Loan Association, Peoples Service Company, Petroleum Development Co., The, Petroleum Products Co. of Mexico, Petroleum Securities Corporation, Peter Stipp & Sons Company, Phenix Sulphur Corporation, Philadelphia Booking Company, Phoenix Construction Company, Phoenix Clay Pot Company, Physicians' Cooperative Supply Co., Philadelphia, Lewes, Cape May and Wildwood Transportation Company, Phoenix Mining Corporation, Philadelphia Motor Service Corporation, Phoenix Shipbuilding Co., Inc., Philadelphia Item Company, Physicians' and Surgeons' General Hospital, Inc., Philadelphia Shoe Finding Company, Photo-Typo-Campo Company, Philadelphia Western Corporation, Piano Manufacturers' Exchange, Inc., Pict-Rola Manufacturing Corporation, Pioneer Trust Company, Pittsburgh Aluminum Company, Pittsburgh Alarm Company, Pittsburgh Auto Top Company, Pitt County Land and Livestock Co., Pittsburgh Cooperative Savings Systems Company, Pittsburgh-Illinois Oil and Gas Co., Pittsburgh-Kentucky Coal Company, Pittsburgh Pharmacal Company, Pittsburgh-Pacific Oil Company, Pittsburgh Rubber Tire Manufacturing Company, Pitt Tex Oil Company, Pitt Tire Service Company, Pittsburgh Wholesale Distributing Co., Pittsburgh Wholesale Grocery Co., Pine Land Oil Company, Pilgrim Motor Car Company, Pinellass Park Farms Company, Pinellas Park Syrup Company, Pinellas Realty and Sugar Cane Co., Pioneer Smoke Indicator Company, Plantation Caro-

PROCLAMATIONS

lina, Inc., Plastic Inlay Rubber Company, Plano-Print Process Company, Inc., of Delaware, Pleasant Valley Coal and Coke Co., Plowman Construction Co., Inc., The, Plymouth Securities Company, Politowski Magnetic Engine Co., Ltd., Pocono Oil Company, Pocono Oil and Coal Company, Pole Star Copper Company, Porcupine Imperial Gold Mining Co., The, Popular Novelties Company, Portable Projecting Machine Company, Portage Refrigerator and Heater Company, Powerlight Company, Potomkin Fish Company, The, Potomac Hills Orchard Company, The, Potter-Luttringer Printing Company, Practical Portable Projector Company, Presto-Bell Publishing Company, Prestoite Company, The, Prescott-Kenlon Corporation, Preston Motor Car Company, Premier Players Film Corporation, Producers Ice Company, Provident Investment Company, Production Meter Company, Protective Motor Car and Accessory Company, Professional Men's Insurance Agency, Inc., Prudential Outfitting Company of Delaware, The, Property Owners' Mutual Coal Co., Prudential Pictures Corporation, Property Underwriters Corporation, Profit Underwriting Company, Publicity House, Inc., The, Pullman Motor Car Corporation, Pull-More Motor Truck Company, Punch Products Company.

Quaker Cola Company, The, Quaker City and Gogebic Iron Mining Company, The, Quaker City Loan and Savings Co., Quaker Hill-Blue Lead Mines Co., Quinn Revolving Refrigerator Co., Quality Tire Shop Co., The, Quaker Valley Refining Co., The.

Rat-Amoora Company, Ralph Emerson Pearce Co., Railway Electric Switch and Supply Company, R. & L. Company, The, Radium Products Company of Delaware, R. W. Moon Sales Co., The, Rapid Braider Manufacturing Co., Rayford Truck & Tractor Company, Readograph Advertising Company, Rearick Automatic Check Endorser Co., Real Estate Registry Company, Redondo-Harmosa Harbor & Terminal Corporation, Realty Owners Service Exchange, Incorporated, Reese-Platt Engine Company, Red River Oil Co., Red Star Cab Company, Reading Toy Manufacturing Co., Inc., Reiszner Company, The, Reid Lang & Company, Rennoc-Leslie Motor Co., Reliance Machine Manufac-

PROCLAMATIONS

turing Co., Republic Phonograph Company, Republic Phonograph Co. of Illinois, Retail Buyers Corporation, Resilient Fibre Company, Rexford Manufacturing Company, Retailers Purchasing Syndicate, Inc., Rialte-Ore Reduction Company, Rialto Theatre Company, Incorporated, Richards Company, The, Riley-Schubert-Grossman Co., The, Rinehart-Droxler Wagon and Auto Body Builders, Inc., Ringgold Oil and Gas Company, The, Rivola Cigar Company, Riverside Ice and Storage Company, Riverside Metals Corporation, Robert A. Bucher Company, The, Roach Automobile Rotary Safety Brake Co., Roberts Engineering Company, Roanoke Iron & Steel Corporation, Roberts, Mayfield Co., Inc., Robert W. Daniel & Co., Rogers-Russell Marine Transportation Corporation, Romanelli Company, The, Rocky River Gas and Oil Company, Rock Realty Corporation, Rochelle Stores Corporation, Rock-Y-Ford Manufacturing Company, Ross Grove Amusement Company, Ross's Incorporated, Rose-Neath Cemetery Corporation, Rose's Scalp Massage House, Incorporated, Rota Engine Company, Rotary Gas and Steam Motor Corporation, Roth-Keller Company, Rotary Stores Co., Rotary Tire and Rubber Company, Royal Arch Mining Co., The, Royal Cleaning Fluids Company, Royal Graphite Mining and Crucible Co., Royal Phonograph Company, Ruby Coal & Coke Company, Rucker Oil Production Co., Russell Company, The, Russell Coal & Coke Co., Rush Motor Truck Company, Russell Perfect Stove & Heating Co.

Sagless Auto Seat Company, Safety & Economy Damper Company, Safety First Auto Lamp Company, Incorporated. Safety Fragile Article Carrier Company, Safe Guard Bottle Company, Sagamore Mines Company, S. P. & A. Company, The, Safety Sales Corporation, S. S. S. Corporation, S. and S. Steam Superheater Co., St. Andrew's Bay Pecan & Fig Groves Company, St. Bernard's Altar Society, St. Louis Iron and Steel Company, St. Nicholas Zinc Extension Company, St. Regis Corporation, The, Salem Coal and Coke Company, Sampson Company, Limited, The, Samuel C. Osborn Mfg. Co., Salom Electric Storage Battery Corporation, Salom Electric Storage Battery Corporation, Samuel Schultz & Co., Inc., Santa Clara Copper Corporation, Sanitary

PROCLAMATIONS

Coating Company, The, Sanitary Canning Machine Company, San Domingo Products Corporation, Santa Fe Motor Car Company, San Jose Fruit Company, The, Santa Lutgarda Sugar Company, Sanitary Manufacturing Corporation, Santa Marta Fruit Company, San Pedro Coconut Estates Corporation, Sanitary Refrigerator and Heater Company, Santo-Rubber Company, The, Sanitary Sea Hair Co., Sanitary Water Company, Schillo Motor Sales Co., The, School Service Company, School Superintendent's Journal Publishing Co., Scientific Instrument Company, The, Screen Advertising, Incorporated, Security Bond & Brokerage Co., Seacoast Construction Company, Seabury Engine & Ship-Building Company, Security Film Company, Inc., Sea Food Products Corporation, Security Industrial Financing Company, The, Seaford Marine Railway Company, Seeing Philadelphia Automobiles, Incorporated, Security Tire & Mfg. Co., The, Security Tube Co., Philadelphia, Selig Company, The, Seminole Copper Mines Company, Severall Garage Corporation, Semtec Limited, Selborne Land Company, Sequoia Mines Company, Semtec Milk Products Corporation, Selex Specialties Company, Semonin Transportation Company, Sevilla Banana Company, Sewickley Lime Stone Company, Shandon Oil Company, The, Shasta Pictures Corporation, Shelton Safety Egg Case Company, Shenandoah Hog & Poultry Company, Shenandoah Valley Springs Company, Shortwriter Company, Siamese-American Trading Corporation, Silk Industries Corporation, The, Silent Powderless Rapid Fire Gun Company, Silver Queen Mining Company, Silver Spring Farms Company, Siemund Wenzel Electric Welding Company, of Washington, D. C., Simplex Account and Book Company, Simplex Adding Machine Company, Simplex Ray Corporation, Simplex Sales Company, Smart McWhorter & Co., Inc., Smith Form-A-Tractor Co., Smith Purifier Manufacturing Company, Smith Rolling Chair Company, Smokeless Combustion Corporation, Snyderstown Coal Company, The, Snyder Oil Company, Southern Aircraft Company, Southern Arizona Utilities Company, Southern Carbonic Gas Company, South and East Provision Company, Southern Farm Improvement Association, Southern Farms and Live Stock Company, Southern Industrial Corporation, Southland Motor Car Company, Southwestern Mill

PROCLAMATIONS

& Grain Company, Southern Oil Refining Co., Southern Potash and Chemical Company, Southern Pine Products Co., South Philadelphia Savings & Loan Corporation, Southern Purchasing Association, Southern Producing and Refining Company, Southern Shipbuilding Corporation, Southwestern-Southern Corporation, Southwestern Steamship Company, Incorporated, Southern States Products Corporation, The, Southern Timber and Lumber Company, Southeastern Utilities Company, Sparks-Hice Optical Manufacturing Company, The, Speedway Inn, Incorporated, Speers Sand Company, Specialties Sales Company, Spicer Tabulating Machine Company, The, Spokane Heat, Light & Power Securities Company, Square Deal Mining and Royalty Company, The, Spring Wheel Company, Stalcup Co-operative Company, Standard Auto Heating Co., Standard Arms Manufacturing Company, Standard Cabinet-Joint Company, The, Standard Concrete Steel Company of Delaware, Standard Development Corporation, Standard Foundry Company, Standard Hardwood Company, Standard Ice & Service Company, Standard Label Company, Standard Liquid Recording Company, Standard Mortgage Company, Standard Metals Reduction Company, Standard Products Sales Company, Standard Remedy Co., The, Standard Rating & Reference Agency, Inc., Standard Roofing & Supply Company, Standard Ship-Building and Dry-Dock Corporation, The, Standard Shoe Buffing Machine Company, Standard Service Corporation, Standard Salt Company, Standard Utility Construction Company, States Motor Car Company, States Markets, Inc., Star Ointment Company, Starland Petroleum Company, Stayman's Winesap Orchard Company, Steel Grip Company, Stetson Motor Car Company, Stetson Sewing Loom Company, Steer-Turn Auto Headlights Co., The, Steamotor Truck Company, Sternwear Tire Sales Co. of Minnesota, Stidham-Simonds Co., Inc., Stomach Hospital A. A. Company, Stohrer's Keystone Pickle Works, Incorporated, Stollsteimer Manufacturing Company, Strauss and Company, Incorporated, Stratton Chemical Works, Inc., Strite Tractor Company, Inc., Stutesmar Farm Tractor Co., Stull Restaurant Company, Stuart Shipbuilding Corporation, Suburban Architectural Association, Suds Co., Subway News Company, Sun Coal & Coke Company, Supplee &

PROCLAMATIONS

Company, Inc., Sulphur Fertilizer Company of America, Sussex Iron and Steel Corporation, Superior Iron and Steel Corporation, Sunbeam Motion Picture Corporation, Sunflower Oil Company, Sunrise Oil Company, Sulphur Products Incorporated, Superior Packless Valve Co., Superior Sales Company, Sulphur Securities Sales Company, Syndicate Company, Inc., Synthetic Chemical Works, Incorporated, Swan Motor Corporation, Sweeney Manufacturing Company, Syrup Products Company, The.

Talbot Boiler & Engine Corporation, Taneha Gas Products Co., The, Talorite Manufacturing Company, Talking Machine Supply Company, Talking Pictures, Incorporated, Tarentum Pure Milk Company, Taximeter Register Company, The, Ten Broeck Rubber Company, Texoleum Company, Telautophone Company, The, Texas Milling & Canning Company, Tennessee Manganese Company, Textile Manufacturing and Commission Company, Tex-Mex. Fish and Game Company, Tennessee Products Company, Texas Petroleum Company of Delaware, Texas Production Company, Temple & Sheppard, Incorporated, Textile Washing Company, Ten Winkle Oil Reclaiming Corporation, Thermo Service Corporation, Thompson and Company, Thomas F. Fleming & Company, Thomas Jewelry Company, Tiffany Phonograph Company, Tie Reinforcement Company, Time Factor Indicator Company, Titan Pictures Corporation, Tioga Theatre Corporation, Tinogasta Tin Mines Company, Tobacco Company of Porto Rico, The, Tolstoi Tea Company, The, Toyland Films, Inc., Tongue and Groove Brick Company, The, Tooker, Kalff, Davis & Co., Tool Steel Corporation, The, Trade Advancement Corporation, Train Control Securities Company, The, Travelstamps, Incorporated, Trio Laundry, Incorporated, Traders Land Improvement Company of Pittsburgh, Penna., Triangle Oil & Refining Co., Trans-Oceanic Shipping Corporation, Tri Republic Security Company, Tri-State Oil & Gas Company, Trailer Transportation Company, Trade Waste Disposal Company, Troy-Honduras Company, Truvang Shipping, Inc., Tunis-Cockey Lumber Company, Tuolumne River Gold Mines, Inc., Tucker Slicing Machine Corporation, The, Turcor Manufacturing Company, Tuscan Steamship Company, The, Tuxpam Star Oil Corporation,

PROCLAMATIONS

Twin Cities Construction Co., Twin Coal Company of Pittsburgh, Pennsylvania, Twentieth Century Manufacturing Company, The, Twinridge Coal Mining Company of Mahaffey, Pa., Tybo Exploration Company, Twelve-In-One Novelty Co., Tyrone-Pinellas Company.

Ultima Film Company, Uinta Mining Company, U. S. A. Oil Company of Pittsburgh, Pa., The, U. S. Fire Apparatus Company, U. S. Exhibitors' Booking Corporation, U. S. Fibre Bottle Co., U. S. Sheet & Metal Culvert Co., The, Universal Aircraft Construction Company, Inc., Uniflow Boiler Company, Universal Cooperation Company, The, Universal Fire Brick Corporation, Universal Indemnity Corporation, Universal Meat Products Company, Universal Minerals Separation Company, Universal Oil Land Leasing Syndicate, Inc., University Press, Incorporated, The, Universal Pipe-Line Oil and Producing Company, Universal Power and Promotion Company, Universal Paper Bottle Company, The, Upper Potomac Coal Company, Universal Rifle Training Corporation, Uncle Sam Coal and Oil Company, Underwriters Trust Company of Illinois, Universal Type-Making Machine Company, Universal Utilities & Dress Form Company, United Airplanes Co., United Arms & Ordnance Co., United Business Association, United Black Granite Company of America, Union Chemical Company of Decatur, United Contracting Corporation, United Cash Grocery Corporation, Union Chemical & Manufacturing Co., The, United Cast Stone Company, United Candy Stores Company of America, United Cinema Theatres Co., Inc., United Commerce Co., Inc., The, United Co-Operation Company, United "C" Market Co., The, United Drug Supply Company, United Dealers Co-Operative Association, Inc., United Eastern Aeroplane Corporation, United Exhibitors Advertising Corporation, United Farms Company, The, Union Furnace Manufacturing Company, The, United Graphite Company, United Gas Products Company, The, United Holding Corporation, United Household Manufacturing Company, United Loan and Securities Company, United Live Stock Corporation, The, United Motor Accessories Corporation, United Merchandise Company, United Milling and Smelting Copper Company, United Mining Corporation of Colorado, United One Acre Farms, In-

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corporated, United Orchards Company, Union Oil and Gas Developing Company, United Oil and Gas Company, United Oil Securities Company, United Producing & Refining Company, United Photo-Plays Company, Universal Ramie Fibre Company, United Service Company of America, United Service Garages, Inc., United Schools of the Arts, Incorporated, United Shares Company, United Ship & Dock Company, United States Aircraft Corporation, United States and Argentine Land Company, The, United States Annuity Agency Company, United States and Canada Construction Company, United States Coffee Company, United States Circus Corporation, United States Chicle Company, United States Chemical Products Company, U. S. & Central American Commercial Improvement Co., Inc., United States Drug Manufacturing Company, United States Fluorspar and Lead Company, United States Finance Corporation, U. S. Gun Oil Company, United States Lead & Zinc Company, United States Metal Corporation, United States Marine Leather Corporation, The, United States Nitrates & Ammunition Co., Inc., United States Premium Corporation, United States Sanitary Paper Container Company, The, United States School of Languages Company, United States Truck Corporation, United States Wire Tire Company, The, United Vacuum Sweeper Company, Utah National Mines Company, Uvalde Oil Company, The, Utah Potash Fertilizer Company, Utah Revenue Mines Corporation, Utilities Service Corporation, Utility Table Company.

Vacuum Cooling Tower Co., Volto Company, The, Valveless Flush Co., Vapor Heater Company, Vesuvian Auto Heater Sales Company of St. Louis, The, Verdiphone Record Company, Victor Brick Company, Victoria Estates, Inc., The, Victor Gas Fixture Company, Vim Hosiery Mills, Inc., Victor Motor Company, Vim Oil and Gas Company, Virginia Consolidated Chemical Corporation, Virginian Chlorine Products Corporation, Virginia Dare Mining Company, Vincible Engineering Company, The, Virginia Holding Corporation, Virginia Lumber & Extract Company, Vintroux Oil Producing & Refining Company, Vivian Smokeless Coal Company, Vitality Spring Company, Voigt Copper Company, Vulcan Enamel Company, Volusia Lumber and Manufacturing Co.

PROCLAMATIONS

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verine Spark Plug Co., World Harvester Corporation, Worthingham Park Development Company, Wright Gas Iron and Novelty Company, Wyomissing Brick Company, Wyoming Manufacturing Company, Wyoming Oil Lands Development Company, Wyoming Producing and Refining Company, Wyoming Wonder Oil Realty and Development Company.

Yost Auto Co., Young Bros. Soap Co., Yough Manor Mining Company, Yolo Olive Company, Inc., York Wholesale Distributing Company.

Zenith Film Corporation, Zenith Feature Film Company, Z-K Airship Co., The, Zenith Refining Company, The, Zinland Development Company.

IN TESTIMONY WHEREOF, I, John G. Townsend, Jr., Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal to be hereunto affixed this seventeenth day of
[GREAT SEAL] January, in the year of our Lord, one thousand nine hundred and twenty-one, and of the Independence of the United States of America, the one hundred and forty-fifth.

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,
Secretary of State.

SECRETARY OF STATE'S OFFICE

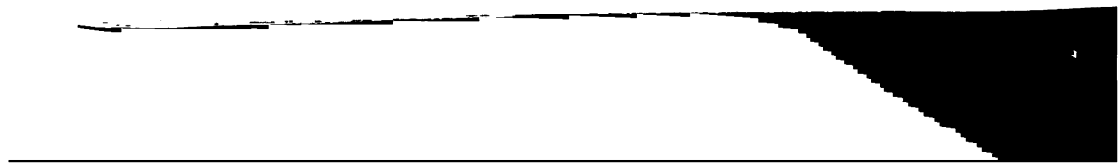
Dover, Delaware, June 16th, 1921.

In obedience to the provisions and directions of Section 3, Chapter 10 of the Revised Statutes of the State of Delaware approved October 19, A. D. 1914, and as amended by Chapter 30, Volume 28, and further amended by Chapter 42, Volume 30, Laws of Delaware, I have collated with and corrected by the original rolls now in the office of the Secretary of State and caused to be published this edition of the Laws of the State of Delaware, passed by the General Assembly at the regular Biennial Session commenced on Tuesday, the fourth day of January, A. D. 1921, and ended on the sixteenth day of May, A. D. 1921, and approved by the Governor.

Words and sentences marked with asterisks are printed as they appear on the original bills.

A. R. BENSON,

Secretary of State.



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